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Journal
of the
Council
Territory of Nevada
Second Session

1st day — First days proceedings

Council Chamber
Carson City Territory of Nevada
Tuesday November 11. 1862.

In accordance with the act entitled "An Act to fix the time of the meeting of the Legislature Assembly of the Territory of Nevada", approved Nov. 29th A. D. 1861, the second session of the Legislative Assembly thereof convened at the seat of Government Carson this day.

The Council was called to order by W. H. Rueston Assistant Secretary at twenty minutes past twelve P. M.

The roll being called the following members were present. Messrs Geller, Hannah, Nutter, Gray, Pugh, Rook and Van Bokkelen.

Mr Van Bokkelen moved that the new members of the Council elect be requested to present their credentials and if found to be correct, that the Hon. George Turner be requested to swear them in. Carried.

The roll of new members was then called when the following gentlemen answered to their names. Messrs. Hill, Lewis Steele Sturtevant Thompson and Ford. All of whom presented their credentials with the exception of Mr.

Ford. The Secretary of the Territory Hon. Orrin Clemens states before the Council that Mr. Ford was duly elected as a member of the Council from Lyon County at the late election, Mr. Luther moved that Mr. Ford, be allowed to qualify and take his seat. Carried.

Chief Justice Turner, then read the following oath which was sworn and subscribed to by the new members respectively

I ——— do solemnly swear that I will support protect and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith allegiance and loyalty to the same, and ordinance resolution or law of any State, convention or Legislature to the contrary notwithstanding; and further that I do this with a full determination pledge and purpose, without any mental reservation or evasion whatsoever, and further that I will well and faithfully perform all the duties which may be required of me by law so help me God.

Sworn to and subscribed before me this ——— day of ———

Mr Roop moved that Mr. H. C. Smith be appointed Sergeant-at-Arms protem. Carried.

On motion Council adjourned until 10 O'clock A. M. tomorrow.

Attest

President of the Council

Secretary of the Council.

Second day

Second day's proceedings

Council Chamber
Wednesday Nov. 12th 1862.
10 O'clock A. M.

Council met pursuant to adjournment. Roll called. Absent. Mr. Hannah.

Quorum present.

On motion of Mr. Hall Rev. Mr. McGrath was called upon to open the proceedings with prayer.

Journal of yesterday read and approved.

On motion Mr. Hannah was granted two days leave of absence.

The clerk then declared the order of business to be the election of permanent Officers for the ensuing Session.

On motion the Council then proceeded to the election of a President

Mr. Lewis nominated G. D. Hall.
Mr. Bay nominated J. L. Van Bokkelen
Mr. Rogh nominated J. W. Pugh.

On motion the clerk appointed Messrs. Luther, Ford and Sturdevant as tellers.

The Council then proceeded to the first ballot with the following result.

Mr. Hall received 4 votes Mr. Pugh 5 and Mr. Van Bokkelen 3.

The second ballot resulted as follows Mr. Hall received 5. votes Mr. Pugh 4 and Mr. Van Bokkelen 3.

The third ballot resulted as follows, Mr. Hall received 3 votes Mr. Pugh 5 and Mr. Van Bokkelen 4.

The fourth ballot resulted as follows Mr. Hall receiving 5 votes Mr. Pugh 4 and Mr. Van Bokkelen 3.

The fifth ballot resulted as follows Mr. Hall received 4 votes Mr. Pugh 5 and Mr. Van Bokkelen 3.

The sixth ballot resulted as follows Mr. Hall received 5 votes Mr. Pugh 4, and Mr. Van Bokkelen 3

The seventh ballot resulted as follows Mr. Hall received 5 votes Mr. Pugh 4 and Mr Van Bokkelen 3.

The eight ballot resulted as follows Mr. Hall received 4 votes Mr. Pugh 4 and Mr. Van Bokkelen 3 and Mr. Roop 1.

The ninth ballot resulted as follows: Mr. Hall received 3 votes Mr. Pugh 4 Mr. Van Bokkelen 3 and Mr. Roop 2.

The tenth ballot resulted as follows: Mr. Hall received 3 votes Mr. Pugh 5 and Mr. Van Bokkelen 4.

The eleventh ballot resulted as follows; Mr. Hall received 5 votes Mr. Pugh 4 and Mr. Van Bokkelen 3.

The twelfth ballot resulted as follows: Mr. Hall received 5 votes Mr. Pugh 4 and Mr. Van Bokkelen 3.

The thirteenth ballot resulted as follows Mr. received 3 votes Mr. Pugh 5 Mr. Van Bokkelen 3 and Mr. Roop 1.

The fourteenth ballot resulted as follows Mr. Hall received 4 votes Mr. Pugh 3. Mr. Van Bokkelen 4 and Mr. Steele 1.

The fifteenth ballot resulted as follows Mr. Hall received 3 votes, Mr. Pugh 4, Mr. Van Bokkelen 4 and Mr. Steele 1.

The sixteenth ballot resulted as follows: Mr. Hall received 3 votes Mr. Pugh 5, Mr. Van Bokkelen 3 and Mr. Steele 1.

The seventeenth ballot resulted as follows:

Mr. Hall received 4 votes Mr. Singh 3 Mr Van Bokkelen 4 and Mr. Steele 1.

The eighteenth ballot resulted as follows: Mr. Hall received 3 votes Mr. Singh 3. Mr. Van Bokkelen 4 and Mr. Steele 2.

The nineteenth ballot resulted as follows: Mr. Hall received 3 votes Mr. Singh 4 Mr. Van Bokkelen 4 and Mr. Roof 1.

The twentieth ballot resulted as follows: Mr. Hall received 3 votes Mr. Singh 3. Mr. Van Bokkelen 3 and Mr. Luther 3.

The twenty first ballot resulted as follows: Mr Hall received 3 votes Mr. Singh 4. and Mr. Van Bokkelen 5.

On motion the Council took a recess for half an hour.

In Council.

The twenty second ballot resulted as follows Mr. Hall received 4 votes Mr. Singh 3 and Mr. Van Bokkelen 5.

The twenty third ballot resulted as follows: Mr. Hall received 3 votes Mr. Singh 4 and Mr. Van Bokkelen 5.

The twenty fourth ballot resulted as follows: Mr. Singh received 3 votes, Mr. Van Bokkelen 3 and Mr Sturtevant 6.

The twenty fifth ballot resulted as follows: Mr. Hall received 4 votes Mr. Singh 4. and Mr. Van Bokkelen 3.

The twenty sixth ballot resulted as follows: Mr. Hall received 5 votes Mr. Singh 2 and Mr. Van Bokkelen 5.

The twenty seventh ballot resulted as follows: Mr Hall received 4 votes Mr. Singh 4 ~~three~~ Mr. Van Bokkelen 4.

The twenty eighth ballot resulted as follows: Mr. Hall received 4 votes Mr. Pugh 4 and Mr. VanBokkelen 3. Mr. Roop 1.

The twenty ninth ballot resulted as follows: Mr. Hall received 4 votes Mr. Pugh 3, Mr. VanBokkelen 4 and Mr. Roop 1.

The thirtieth ballot resulted as follows; Mr. Hall received 2 votes Mr. Pugh 3 Mr. Van Bokkelen 3 Mr. Roop 3 and Mr. Thompson 1.

The thirty first ballot resulted as follows: Mr. Hall received 3 votes Mr. Pugh 4, Mr. Van Bokkelen 2. Mr. Roop 1 Mr. Thompson 1 and Mr. Geller 1.

The thirty second ballot resulted as follows: Mr. Hall received 5 votes Mr. Pugh 4 and Mr. VanBokkelen 3.

The thirty third ballot resulted as follows: Mr. Hall received 5 votes Mr. Pugh 3 and Mr. VanBokkelen 4.

The thirty fourth ballot resulted as follows Mr. Hall received 4 votes Mr. Pugh 3 and Mr. VanBokkelen 3.

The thirty fifth ballot resulted as follows Mr. Hall received 5 votes Mr. Pugh 3 and Mr. Van Bokkelen 4.

The thirty sixth ballot resulted as follows: Mr. Hall received 4 votes Mr. Pugh 3. Mr. Van Bokkelen 3, Mr. Lewis 1 and Mr Ford 1.

The thirty seventh ballot resulted as follows: Mr. Hall received 3 votes Mr. Pugh 4 Mr. VanBokkelen 4 and Mr. Lewis 1.

The thirty eighth ballot resulted as follows: Mr. Hall received 5 votes Mr. Pugh 4 and Mr. Van Bokkelen 3.

The thirty ninth ballot resulted as follows: Mr. Hall received 4 votes

Mr. Pugh 4 and Mr. Van Bokkelen 4.

The forty sixth ballot resulted as follows: Mr. Hall received 4 votes Mr. Pugh 3, & Mr. Van Bokkelen 5.

The forty first ballot resulted as follows: Mr. Hall received 5 votes Mr. Pugh 3 and Mr. Van Bokkelen 4.

The forty second ballot resulted as follows Mr. Hall received 5 votes Mr. Pugh 2 and Mr. Van Bokkelen 5.

On motion the Council took a recess until 2.30 P M.

In Council.

The forty third ballot resulted as follows: Mr. Hall received four votes Mr. Pugh 5 and Mr. Van Bokkelen 3.

The forty fourth ballot resulted as follows Mr. Hall received 5 votes Mr. Pugh 4 and Mr. Van Bokkelen 3.

The forty fifth ballot resulted as follows: Mr. Hall received 4 votes Mr. Pugh 3, Mr. Van Bokkelen 4 & Mr. Hannah 1.

The forty sixth ballot resulted as follows: Mr. Hall received 3 votes Mr. Pugh 5, Mr. Van Bokkelen 3 and Mr. Hannah 1.

The forty seventh ballot resulted as follows: Mr. Hall received 4 votes Mr. Pugh 4 Mr. Van Bokkelen 3 and Mr. Hannah 1.

The forty eighth ballot resulted as follows: Mr. Hall received 3 votes Mr. Pugh 4, Mr. Van Bokkelen 4 and Mr. Hannah 1.

The forty ninth ballot resulted as follows: Mr. Hall received 6 votes Mr. Pugh 4 and Mr. Van Bokkelen 2.

The fiftieth ballot resulted as follows: Mr. Hall received 2 votes Mr. Pugh 5, Mr. Van Bokkelen 3.

Mr. Roop 1 and Mr. Ford 1.

The fifty first ballot resulted as follows: Mr. Hall received 5 votes Mr. Singh 4 and Mr. Van Bokkelen 3.

The fifty second ballot resulted as follows Mr. Hall received 4 votes Mr. Singh 4 and Mr. Van Bokkelen 4.

The fifty third ballot resulted as follows Mr. Hall received 2 votes Mr. Singh 3 Mr. Van Bokkelen 3 and Mr. Luther 4.

The fifty fourth ballot resulted as follows Mr. Hall received 4 votes Mr. Singh 4 Mr. Van Bokkelen 2 and Mr. Luther 2.

The fifty fifth ballot resulted as follows Mr. Hall received 4 votes Mr. Singh 7, and Mr. Van Bokkelen 1.

Mr. Singh having received a majority of all the votes cast, was declared duly elected.

The motion that a committee of three be appointed to conduct the President to the chair was carried.

The Clerk appointed as such committee Messrs Roop Gray and Steele.

On assuming the chair the President elect addressed the Council as follows:

"Gentlemen of the Council:

Permit me to return to you my sincere acknowledgments for this I must say undeserved honor. I shall endeavor gentlemen, to discharge the duties devolving upon me as President of the Council to the best of ability, and certainly without showing any partiality for or against any member. While this is my fixed intention, I trust that every member of the Council

will assist me in carrying it out. If I err in the endeavor to discharge my duties, I assure you that it will be an error of the head and not of the heart; and I hope you will correct any misdirections and instruct me by your better judgment, in order that our business may facilitated, and that we make this, as it should be a short session. There is in my judgment, no good reason why we may not close this Session in twenty days rather than let it extend through the entire term of forty days allowed by law. Excessive legislation is an evil more to be feared that legislative neglect and I hope, that we shall not at this session burden our Statute books with any enactments which the interest of our constituents do not require. I venture the assertion that all the good that we are capable of doing for the people of this Territory may as well be done within twenty days as a longer period. We have already a full and complete code of laws, which, may require some few additional chapters, and perhaps amendment in some few particulars, but that is all that the people ask at our hands. I had entertained the hope at the end of our last Session that before this time our reassembling the Government would be restored quietus to the unholy rebellion which is still distracting the country But that hope is still unfulfilled It is the warmest wish of my

heart to see this rebellion crushed out as speedily as possible and I doubt not that every member of this Council shares with me in that loyal aspiration, I doubt not that we are all ready to do all in our power to uphold the hands of our national Government. I do not wish to do not faithfully represent our constituency, for Nevada Territory is loyal to the core. (Applause). She has proved her loyalty by her liberal contributions to the Sanitary fund to aid in the care of the sick and wounded soldiers of our country. She has contributed to that fund perhaps more in proportion to her population than any other State or Territory in the Union. She has given freely of her substance, and she is ready and willing if necessary, to give as freely of her blood, in order that our Government may be sustained. She will not withhold the last dollar nor the last man if the country requires them. Knowing this to be the sentiments of our constituents, let us not hesitate in the exercise of the powers delegated to us, to do legislate as to aid as far as possible the efforts of the Federal Government in putting down this iniquitous rebellion (Applause). Gentlemen would have liked to have addressed you more at length, but I have had little opportunity for preparation and will close by again expressing my earnest thanks for the honor conferred upon me.

On motion the Council proceeded to the election of a Secretary. Mr. Steele nominated A. D. Brooks Mr. Stuntevant nominated George W. Hopkins

Nominations having been declared closed, the Council proceeded to a first ballot with the following result. A. D. Brooks received six votes, George W. Hopkins received six votes.

The second ballot resulted as follows: A. D. Brooks received four votes, George W. Hopkins seven votes and J. L. Le Nard 1 vote.

Mr. Hopkins having received a majority of all the votes cast was declared duly elected.

On motion of Mr. Lewis Mr. George S. Palmer was elected Assistant Secretary by acclimation.

On motion the Council proceeded to the election of a Sergeant at Arms.

Mr. Steele nominated H. C. Smith Mr. Thompson nominated Mr. McIlvaine. Mr. Pray nominated J. A. Wilde, Mr. Stuntevant nominated J. C. Brown.

The Council then proceeded with the first ballot with the following result.

H. C. Smith received 4 votes, McIlvaine 2, Wilde 4 and Brown 2.

The second ballot resulted as follows, Smith 5, McIlvaine 1 Wilde 4 and Brown 2.

The third ballot resulted as follows: Smith 3, McIlvaine 2, Wilde 5 and Brown 3.

The fourth ballot resulted

as follows: Smith 3, McElvoine 1 Wilde 5. Brown 8.

The fifth ballot resulted as follows: Smith 2 McElvoine 3 Wilde 4, Brown 3.

The sixth ballot resulted as follows: Smith 5, McElvoine 1 Wilde 4. Brown 2.

The seventh ballot resulted as follows: Smith 5 McElvoine 1, Wilde 3, Brown 3.

The Eighth ballot resulted as follows: Smith 5, McElvoine 3, Wilde 1. Brown 3.

The ninth ballot resulted as follows: McElvoine 4 Wilde 6 Brown 2.

The tenth ballot resulted as follows Smith 3, McElvoine 2 Wilde 4, Brown 3.

The eleventh ballot resulted as follows: Smith 3 McElvoine 4 Wilde 4 Brown 1.

The twelfth ballot resulted as follows: Smith 3 McElvoine 3 Wilde 4 Brown 2

The thirteenth ballot resulted as follows: Smith 4 McElvoine 4 Wilde 1 Brown 3

On motion of Mr. Hall and with the consent of the Council Mr. L. Madeira was placed in nomination for Sergeant-at-Arms.

The fourteenth ballot resulted as follows: Smith 2, McElvoine 1 Brown 1, Madeira 8.

Mr. Madeira having received a majority of all the votes cast was declared duly elected.

On motion the Council proceeded to the election of a Messenger.

Mr. Ford nominated

Mayor Mr. Lieutenant Governor & A. Hawkins. Mr. Hall Nominated
— Mayer, Mr. Sutter Nominated
— Secretary.

The Council proceeded to a ballot with the following result Mayor A. Hawkins 5. Mayer 2.

The Mayor declared A. Hawkins duly elected.

The Lieutenant Governor & Hawkins & Mayer Esquires.

The House of Representatives by their Speaker, Mr. Hall & Mayer, Lieutenant Governor &.

Mr. Hawkins having read a speech delivered from the Throne was declared duly elected.

The Oath of Office & Mr. Lewis was duly taken & subscribed by declaration.

The Secretary was instructed to inform the House of Representatives of the Lieutenant Governor of the Council.

The following Gentlemen were returned from the House of Representatives.

Legislative Council of New Zealand
House of Representatives
Carson City Nov. 13th 1862.

To the Hon. the Council;

In obedience to the order of the House of Representatives I respectfully address you Honorable body that the House has effected a Government organization by the election of the following officers.

John A. Mills Speaker, Wm. M. Gillespie Clerk Sergt. King

On leave Mr. Hannah.

On motion of Mr. Van Bokkelen leave of absence was granted Mr. Pray.

On motion of Mr. Roop leave of absence was granted Mr. Steele for one day.

The Journal of yesterday of yesterday was read and approved.

On motion of Mr. Van Bokkelen it was moved that the standing rules of the Common Council of last year be adopted as the temporary rules for this Common Council, upon which motion the ayes and noes were called.

Ayes Messrs. Ford, Heller, Hall Lewis, Luther, Mr. President, Roop Thompson and Van Bokkelen. 9.

Nays Mr. Stuntebant.

Absent on leave Messrs. Hannah Pray and Steele. 3.

Mr. Van Bokkelen offered the following resolution

Resolved, That the Secretary of the Common Council, be directed to furnish daily to each member of the Common Council one copy of the Territorial Enterprise, Virginia City Daily Union Emmanden Star, Sacramento daily Union and daily Evening Bulletin.

Mr. Hall moved to amend the resolution by striking out all after the words "each member of the Common Council" and inserting in place of the part stricken out, the words five daily papers; each one voter making his own selection. Carried.

The resolution as amended was adopted.

On motion of Mr. Van Bokkelen it was resolved that the

Secretary of the Council be instructed to make arrangements with the Post Master and Express Agents for the payment of all postage on letters and packages sent and from the members of the Council during the present Session, and that the Messenger be instructed to place the same on the desks of each member.

Mr. Hall from the committee appointed to wait upon the Governor reported that, His Excellency was now ready to deliver his Annual Message Report received, and committee discharged.

Mr. Hall introduced the following amendment resolution (No. 2,) Resolved by the Council, the House of Representatives concurring, That the Council will meet with the House in joint Session at twenty minutes after 11 O'clock instant, in the Chamber of the House, to receive the Annual Message of the Governor of the Territory. Adopted.

Mr. VanBokkelen moved, that seats within the bar be provided for a reporter of the Sacramento daily Union, Virginia City daily Union and the Territorial Enterprise. Carried.

On motion a recess of ten minutes was taken.

In Council.

The following message was received from the House:

Territory of Nevada
House of Representatives
Carson City Nov. 13. 1862.

To the Hon. the Council:

I am instructed by the House

to inform your Honorable body that
I is now ready and in waiting to go
into joint Convention for the de=
ception of His Excellency the Govern=
or

Respectfully
Wm M. Gillespie
Secty.

The time having arrived for the
joint convention of the two Hous=
es to receive the Governors Message
the Council Proceeded with the
President and its officers to the
House of Representatives.

Joint Session
In the House at 11.05 - 61 o'clock
A. M.

Members of Council preceded by
the Governor appeared in the House
The joint Convention was called
to order

President Pugh of the Council
and Speaker Mills of the House
presiding.

The Secretary of the Council called
roll of the Council and the following
members were present:
Messrs. Ford, Gellen, Hall, Hannah
Lewis, Luther, Mr. President, Roop
Sturtevant, Thompson Van Bok=
Helen W., and the following
members absent Messrs Hannah
Pray and Steele 3.

The Clerk of the House then
called the roll of the House,

The following members were
present

Messrs. Ackley, Brumfield
Burke, Delagett, Kenny, Daven=
port, Fishers, Howard Lovejoy

McDonald, Mcager Mekeel, Mercer Mitchell, Perkins Simmons Mr. Speaker Headway Suttle Williams J. B. Winters and T. Winters. 22. and the following absent, Messrs Adams, Allen, Mealer & Rife 4.

His Excellency James W. Nye was then introduced and delivered his annual Message as follows:

Gentlemen of the Council

And House of Representatives,

You this day again assemble in your Legislative Capacity, after an interval of time filled with important Events in the history of our beloved Country, and with sure prospects in the Material prosperity of the favored territory of Nevada.

In my last Message, I referred briefly to the Condition of our Country at large, to the Enormity of the rebellion then raging in a portion of the States of the union, and to our duty as Citizens of this Territory, to express, with a joyful Will, our loyalty to the parent Government.

The rebellion is not yet Suppressed; but since your adjournment Events have transpired which bring, with Sufficient Security, the cheering Sentiment, of the so called Southern Confederacy, near unto a final Downfall, not distant, of the Traitorous arms and the Traitorous Constitution.

The Series of Splendid Victories that, in almost a Continuous line, has adorned our Banners during the Campaigns of the present year, from the Declaration of Fort Henry to the Expulsion of the Enemy from Maryland and the more recent time, in Virginia, is indubitable testimony to the capability of our Volunteer Soldiery to accomplish what they have undertaken to do; and, with the new Levies of troops that are already in the field and the Execution of the Emancipation act of Congress in accordance with the President's proclamation of September 22nd, there is all reason to expect —

System of guerilla warfare, cruel and barbarous in its Character. Streams of desperate and irresponsible Marauders, (Sprung from the midst of Loyal Communities.) Overran the States of Missouri, Kentucky, and Tennessee - plundering, burning, murdering - Securing devastation and misery wherever they scattering[ly] went. In Missouri, they were soon, for the most part, Suppressed; but in Kentucky and Tennessee they gathered together in large bands, sometimes resembling armies, and marched, in some degree of order, through counties and from City to City, Their strength for months, increased - until, at length, portions of the band were organized into Regiments and brigades, under the discipline of some of the Superior officers in the Rebel Service; in which condition one body of them was met, in Kentucky, by a force of our own troops at Tipp-Ville, and Signally defeated; and another body, in Tennessee, was similarly routed at the well fought battle of Tazewell.

Other bands have since continued to ravage certain portions of the States mentioned, but in greatly reduced numbers; and their recent and various defeats are indicative of their rapidly approaching dissolution.

Thus it will seen that the Cherished results of the Campaign, during the present year, to this date, are of a highly Satisfactory Nature, The Valor of our brave Soldiers has delivered the loyal States of Missouri, Kentucky and Maryland from their would-be oppressors; has Redeemed Tennessee, the Northern Counties of Alabama, a large fraction of Arkansas and of North Carolina, and the peninsula on the Coast of Virginia, to the National authority; has Restored important Southern Cities to Obedience; and has planted our flag in every State in the Union where, until recently, the rebellion held Sway.

Other Events, of equal Significance, indicate the dying fortunes of the Union, the most prominent of which are the formation of Union regiments in States where our armies advance into the enemy's territory; the Action

of a member of Congress from the Eastern district of Virginia; the Election of Mr Vance to the gubernatorial chair of North Carolina; his Summoning a Council to take into consideration the Course that ought to be pursued by his State in view of the President's Emancipation proclamation; and the Acts Manifested in the rebellious States in anticipation of the Execution of the act, as Evinced in public Meetings, and in the debates and Legislatory actions of the So-called Confederate Congress.

What, to some, may appear an alarming hostility in the Traitors, in their Efforts to overthrow our Gentle and protecting Government, is a Hostility Easily accounted for when we Contemplate the Crimes pursued by them during a long period of time previously to the breaking out of the Rebellion, and Examine into the Cause which actuated them to perpetrate their awful Crime

During Control of the high places of the nation, both at home and abroad, including in times, even that of the Presidency, at an early day they devised, and during a succession of years they matured their plot. They influenced the Elections in many of the northern States; they reduced the action of Congress to a Subserviency to their own designs; they Secured, as Ministers to represent the Country at foreign Courts, such alone as would play the Emissary of discontent; they dictated the decisions of the Supreme Court of the United States, wherever the decisions had reference to the object of their designs. Their Leaders and their plausible Coadjutors from the North occupied, under successive Administrations, influential positions in the National Cabinet, and gave, by sure degrees, their aid to the insidious Conspiracy, until, at last, it is ripened with a Southern Traitor in the War Department and a Northern accomplice in the Navy Department.

While thus plumming the destruction of their Country, their political Leaders were fed by the National bounty, and became rich with treasure taken from the National Vaults,

Their military leaders were Educated, Clad and Sustained at the public Expense. Their section of the Country was Sunshine in the high flood of its prosperity, and their people scary, in the lightness of their hearts, under the benign influence of the Constitution

When the Conspiracy approximated it's Consummation, the leaders of it looked with Complacent Confidence upon what they already deemed the Success of their machinations. Their instruments in the Army and Navy Departments had performed their parts of the ignoble requirements well. The Northern arsenals were Stripped of their Material Complements of War Materials, and the Southern Arsenals were filled with them to repletion. Our Army, Cut up in Small detachments and officered Mainly by Southern sympathizers, were doing garrison duty in widely distributed forts, on the Atlantic Coast, on the Western plains, in the wilds of Texas. Our Navy was scattered abroad on distant Seas, The workmen in our Northern yards were idle. The treasury was Empty. The Conspirators had Secured all that was available; our Government was left Comparatively destitute, even of ordinary Means of it's defence

The Object of the heads of the Treason was not entirely to perpetuate the institution of Slavery; it was more particularly to Establish an Exclusive and despotic Government, based at first upon The foundation of property, and subsequently to be upheld, by means of that property, upon the Controlling prestige of birth. The institution of Slavery, of Despotic origin in itself, was to be the Engine of the Elevation of a few to absolute power; and the infatuation of the Many was studiously excited with reference to the favorite institution, for the purpose of securing an influence over the Middle Class that would Enable the Leaders to rule their Opinions at will

Now surely, under these views of the Circumstances, the Conspiracy approached to Success is not a matter of Surprise. Nor can the wonder at the Tenacity with which the traitors

cling to their desperate fortunes when we seriously reflect upon their object, and reveiw the means by which, during so long a period of time, they have steadily labored to undermine the National Government. With carefully Completed plans; with armies already organized and Equipped; with abundance of munitions of war; with facilities for seizing navy yards, forts, mints and other Government property; with numerous Commissioned officers in the National army; with Co-operators in all the departments at Washington; with Emissaries abroad; and with, as they believed, a powerful party at the north to sustain them, they had no reason to expect failure.

Their first check was the loyalty of a brave officer, from Kentucky, at Sumter. Their next, the grand uprising of the people. What, however could the people do with no Government means of Equipment, with no available navy? The loyal States stepped promptly forward to the relief of the Administration.

Never in the history of nations was such energy displayed by an executive as by the new President of the United States in this alarming crisis. Within a few days an army of volunteers was gathered at Washington for the protection of the Capitol; the navy was recalled from abroad; Congress was summoned; the arsenals rang again with the music of labor; foundaries, public and private, in every part of the north, gave with inconceivable celerity a bounty of ordinance to the Country; the treasury was replenished by the patriotic munificence of private Banks; a fresh army of 400,000 men was called into the field fully armed and equipped; the navy was largely increased; the rebel Coast was blockaded; Washington to a great extent was purged of a miserable horde of spies; and foreign Governments were informed with vigorous determination of the exact relations that must Continue to Exist between them and our own Country.

Time, either at home or abroad, can fail to admire the forbearance with which the Administration has—while firmly at all times upholding its dignity and authority—dealt with the erring people of the South rebellious States, from the action flowing merely from its Constant, Only the persistent obstinacy of their Self-imposed Leaders, in wantonly prolonging their Unnatural Struggle—to the fruitful loss of Blood and treasure to the Entire Country, and the restoration of their own Section at Home—has compelled the Government, after long and anxious deliberation, to assert to the last Measure of Legitimate power within its Powers, as Commander-in-Chief of the Army—the Liberation of the Slaves in the Insurrectionary States. His proclamation, in which he declared his Unalterable intention, was issued on the 22d day of September. The magnitude of the great Event, can be fully Comprehended only by the dispassionate reflection of posterity. As an engine of war its permanent effect is a powerful guarantee of early peace, and a pledge of humanity the enlightened World receive it with acclamations of unbounded joy.

Congress, at its last Session, passed, under the auspices of the new Administration, a Bill providing for the Construction of a Pacific Rail-Road. Amidst previous unsuccessful Administrations, this important measure has, in Compliance with the demands of the Country, been frequently brought into notice, but always with a tampering Spirit, and with no intention to Construct the work with anything except mere words. The undertaking which such Administrations, with ample means at their Command have through the machinations of the Conspirators, with sinister objects in view, neglected, has now been definitely inaugurated at a period of time when the Comprehensiveness of the Government in providing for the severe exigencies of the day, and at the same time, in attending to Civil necessities of the Country, are a sufficient guarantee of its prosecution to early Success. Passing through the Territory of Nevada, the road will be, to our people of

benefit incalculable. The inexhaustable riches of our Country, with our population of Thirty Thousand, attracted but a small fraction of the Numbers who will in succeeding years, be allured to take up their abode in our Midst, With this gradual increase of labor will be created a more urgent necessity for an easier and more expeditious outlet for the ever augmenting yields from our Silver producing Ledges and for a cheaper means of transportation: to us of provisions and other requirements of life which we are now compelled to submit to, through the slow and Expensive Toiling of waiting teams acrop the Mountains, acrop the Deserts, and through Snows

The magnificence of the undertaking, in a Commercial point of view, is of a Character so grand that all other Enterprises in the Union of Mercantile progress wane into Comparative insignificance in Comparison with it. Already we anticipate the time, not far distant, when the immense treasures of the Islands of the Southern Ocean, the Splendid and costly articles of the Indies, of China and of Japan, the Domestic luxuries of more rich and tropical Countries, the vast trade of the East, will all be conveyed in American Ships acrop the Pacific to our own ports, to be Transhipped by the iron road acrop our Continent, through our own States and Territories to our own Cities on the Atlantic; thence to be again transhipped, in our own Vessels, acrop the Great Ocean to supply the wants of populations and cities along Europe. The old, long, tedious Commercial pathway from Calcutta and Hongkong, down round the Cape of Good Hope to Liverpool, Havre and St. Petersburg, has had it day. With the Construction of the Pacific Rail Road, we enter on a new era in the Commercial history of the world. The Course of Maritime enterprises is about to be reversed. Heretofore its way has been westward, now the tide is turning, and hereafter, through all time, it must be eastward.

Incidental only of the Business advantages

that will accrue to this Country from this passage and the transhipments of such enormous quantities of freight across our Continent and the Employment of the numberless Vessels that will be required on the high Seas to Carry it to its destination, and the increased wealth that the road will be the means of Circulating throughout within our borders, and the Changes in domestic-foreign articles of Consumption — of what then almost become necessaries — and even of luxuries, will be reduced. We shall no longer have to pay the double duties on many goods that now come to us through the Channels of English Custom-houses, nor the freightage of a Nine months Voyage on our Cotton, Tobacco, our Spices, our Silks. Our manufactures will find at remunerative Prices markets closed, or greatly circumscribed by Duties, from which we shall have in abundance the products of a wealthy Soil.

The facilities of intercommunication among the people of the various States and Territories of the Union will also be greatly increased by the completion of this great National work, and its immense, timely destination together, in a Still more enlarged System, the interests and the kindly feelings of each. Every State and Territory will then have a direct intercourse with her Sister States and Territories; local animosities will disappear in a multiform system; the prosperity of one will be the prosperity of the others; the interests of each Section will no longer Clash with those of its neighbor. As Commerce, manufactures, and agriculture will go hand in hand together as friends & supporters of one another; and the Country will be one in a mutual dependence upon diversified, yet Combined interests as it will be one under the Constitution.

No State nor Territory will derive such fortunate advantages from the Road as the Territory of Nevada situated as we are in what during a great portion of the year is an almost inaccessable location of Death! with mountains covered with perpetual

from forming down directly upon us at the west. and with a series of ranges difficult to cross. at the east of us; with a wilderness fit only for the original inhabitants of the waste. stretching away a thousand miles. and intervening between us and the frontier of agricultural Enterprise, and with no means of bringing the common necessaries of life. except through circuitous pathways of tedious & travelling toil. all the value of the land to us will be diminished. Our resources are of a peculiar nature. Our people are not supported by agriculture. nor by commerce nor by Manufactures. We have no sea-coast to, and no natural approach to our settlements. Our productions must be limited upon products must, brought with much difficulty and at high prices from abroad. and which are paid for, with little taken more per cent. The disadvantages under which we labor will be materially alleviated by the construction of this road. It will give us a highway such as no natural highway can be. It will give us easy intercourse with the world. It will bring within a few days ride of the seaport. It will give to us a communication with the City of Richmond in less only a little longer, than that in which we now have communication with Fredericksburg. It will be the mean of leading in our midst. of an important commercial center. It will bring to us implements of industry in every species. It will give to us a convenient relief of the needs of life. serving beneficially to cheapen the price of such needs and thereby relieving our laboring and industrious people of the heavy burden of their present household Expenses.

The watchful solicitude ever taken by the General Government. particularly during the present Crisis. in thus providing for the wants of the country by inaugurating this undertaking. with a munificent appropriation. Merits to be gratefully remembered. and affords a further reason. if any be required why the patriotic Country of Virginia should manifest unbounded faithfulness to allegiance to the fostering Union.

Congress for the purpose of collecting a revenue to assist in paying the large Expenses of the national Government in this her hour of trial. has levied an assessment upon the people of the various States and Territories. as this Territory has no other burden to bear in these terrible times. there is no doubt concerning the cheerful acquiescence of our citizens in the act of taxation. and of their prompt alacrity to contribute the limited amount that is required of them.

Congress at this last session also enlarged the borders of Nevada. by Extending about its Northern and Southern lines of boundary the territory Embraced to the thirty-Eighth meridian of longitude west from Washington. This track includes Ruby Valley. a stretch of country well adapted to agricultural pursuits. and of late correctly informed. the newly discovered mines of Reese River and Simpsons Park. which have already attracted considerable attention, and which. as indications tend are destined before the meeting of your honorable bodies again to draw a large population to their midst.

The population of this tract of country is now not inconsiderable. The rich hay lands that interspese the broad basins here & there throughout the Territory, and the preliminary investigations of the mines. have already given Employment to numbers which are gradually increasing. and who are now. and. until definite action taken by you in their behalf. will continue to be. isolated from laws and special government. They are not represented in your honorable bodies and the duty devolves upon you to attend considerately to their wants. This stretch of country might be divided. and the several fractions attached to the several Counties of Humboldt. Churchill and Esmeralda; but a serious objection to such a disposition of it is the great distance of its settlements from the seats of Court. in those Counties which would not but operate to them

as an Exclusion. Virtually from the dear privileges of justice

I therefore recommend. that you honorable body Create a new County out of the Territory. that I have described and make provisions for its organization.

During the last session of the Legislature of this Territory. a joint resolution providing for the Election of two Commissions who with myself should constitute a Board was adopted the duty of which Board it was made to report upon the Legislature of California at their next Examy session. and urge upon them the propriety of ceding to Nevada the territory lying East of the Sierras.

The Board were duly Elected of which I had the honor to be chosen Chairman. In due time we proceeded to San Francisco. Where the Legislature of California was then in session

Without Delay we memorialized that body to cede to Nevada all that portion of Territory claimed by California which lies East of the Summit of the Sierras. in Compliance with the desire of the Genl Government. as Expressed in the Organic act of this Territory. Sir week, we memorialized. urging the claim at the Expiration of which time a vote was taken which showed Conclusively that Compliance would not be made with our Request. I do not think that their refusal was based upon unwillingness to cede the territory in question. but upon what they defined to be an inhibition in the Constitution of their State. The boundary lines of their State being Established in that instrument. they held that they had no legislative authority to pass a law ceding. or releasing Jurisdiction of any portion of the territory therein included

The only way. as they claimed in which they could be made was by an amendment to their Constitution. That would be a slow and tedious process. taking two years to accomplish the ob-

light in view. We barely endeavored to convince the body that the Constitution of the United States (art 4. Section 3) pointed out the manner in which new States were created and boundary lines altered. and claimed that if they had anything in their constitution antagonistic to the Constitution of the United States. it must give way in obedience to the supreme law of the land.

I do not believe that a man's conception of the Extent of territory Embraced within the limits of a State. Even though it may be set forth in the Constitution of the State requiring an amendment thereto in like manner as it would to change some fundamental principle of constitutional law. Neither does it appear that the Legislature of California has at all times entertained such an opinion.

The action of that Legislature has been rather contradictory. Two years ago they passed a law authorizing the six southern counties of their State to go back into a territorial condition with a view to the establishment of a new state. if those counties by vote, should desire to do. A ballot was taken on the question and decided in the affirmative: When Governor Latham in a well reasoned report to the then President of the United States sustained the legality of the proceedings.

Under the provisions of an Act entitled "An Act to provide for a Special Election" approved Nov 28th 1864. the appointment of Officers for the County of Esmeralda was made an Exception to the duty of the Executive to make appointments for the counties, until such time as the western boundary of the Territory, or rather the Eastern boundary of California should be ascertained by Survey or otherwise. When the Executive was to appoint such Officers as would be legal, and give that County an organization.

The Legislature at the same session made

an appropriation of One thousand dollars to Enable the Executive to run or ascertain the Boundary line from an initial point Established by the Regularly Established Board of United States Surveyors - in connection with an agent or Commission appointed by the State of California.

A Contract was Entered into with two competent and Experienced Surveyors - Butler Ives and John T. Kidder - to run the line in accordance with the law authorizing the appropriation and for the Amount set forth in the law, which duty they performed in a highly satisfactory Manner during the month of August in the present year.

In drawing their line they found that the Village or City of Aurora lay within the limits of our Territory. They prepared a map of their Surveys, which they furnished to me and which I herewith submit to you. I have not yet organized the County by the appointment of the required officers, for the following Reasons: Firstly, because I am firmly of the opinion that the present Legislature of California will cede to us the territory this side of the Sierras: And Secondly because when I arrived in Nevada I found a County fully organized & officered by the State of California. and which has Embraced within one of the Judicial districts of that State. Under which jurisdiction the rights of persons and property had been and are now being determined.

Immediately after the result of the Survey was Made known. I visited Aurora in the disputed County and found there a large population with great and Valuable Mining interests and Extensive possessions of Real Estate. Some of the most Valuable of which property was already in litigation. As you were so soon to convene I concluded to await further instructions from your honorable bodies as to what course it would be better to pursue under the circumstances.

To raise questions of jurisdiction is at all times a delicate duty to perform and should if possible be avoided: for the consequences are not only oftentimes Ruinous to property holders but destructive to the

peace and quiet of communities and States.

After the survey of Messrs Ives and Kidder I visited his Excellency Governor Stanford of California and had a long and quite satisfactory consultation with him with regard to this question of boundary. He deemed that no steps should be taken to organize the disputed county on the part of the Territory until the meeting of the California Legislature. when he would recomend that a joint Survey of the line should be made by the State and Territory by which the controversy should be decided. He entertained no doubt concerning the favorable action of his State Legislature upon his recommendation. This course was proposed to be acted upon in the event that the Legislature would not directly cede to us the Territory East of the summit of the Mountains.

It is desirable if possible to avoid collision with our neighbor State. in the consideration that our interest are so interwoven as almost to make us one people.

Relying upon your counsel and direction in the premises. and ready at all times to cooperate with you with that becoming alacrity attendant upon perfect confidence in your judgement. I intrust the matter into your hands. recommending that your honorable bodies pass a joint memorial to the Legislature of California. asking for the cession of the territory in question: and if such cession be not assented to. then that a joint survey of the boundary be provided for by the cooperating action of the State and Territory

At the last session of our Legislature. an unsuccessful effort was made to enact a law under which Corporations could be created within our Territory. The passage of such a law I regard as of the highest importance to the business interests and progress of the country. to the end that parties desiring to incorporate should not be obliged to do so under the laws of other jurisdictions. In framing such law great care should be taken to protect the Corporators in all their legitimate rights while at the same time Equal care should

be taken to protect the people from any gross abuses that corporate wealth is quite prone to practice upon its corporate capacity.

After much reflection and study upon the subject. I confess to serious doubt as to what is the true standard of taxation in the premises. The objection to tax the mines directly is found in the fact that they are the property of the United States, and are not therefore the subject of taxation. The objection to taxing the certificate of stock, as representing the value of the mines, lies in the fact that they represent the value of a species of property that has not passed out of the possession of the United States. In this respect this character of stocks is unlike that of all others. In railroad or bank stocks the certificate always represents the value of the road or bank and when the amount of the capital stock is ascertained. then the value of the amount of taxable property is known. Not so with this stock. We have fully considered, if the Legislature should pass a law taxing the gross yield of the products of the mine. and the corporation should refuse to pay the tax. if then the Collector should proceed to sell the improvements of such Corporation. and the improvements should be found insufficient to pay the amount assessed. the mine could not be sold. and then the remedy to the injury would be frustrated

In enacting such a law. you will have no difficulty so far as our internal affairs are concerned. You will meet with more difficulty in arriving at a just conclusion with regard to the proper legal restraints and protections that may be required in regulating the working and operations of corporations created under the laws of California and laws of other States

In entering upon this important labor. you will of course remember that when many of the now leading corporations existing in the territory were formed. we had no laws nor territory under our present name. through which the corporations could

be Created; and as a matter of necessity when Created. they must have been formed under the laws of some jurisdiction foreign to us. Likewise it will be borne in mind that the character of our Deposits is such and the products of our County are so peculiar as almost to render it a necessity that Corporations should be formed in a way to became a successful development of our Resources and the profitable working of our Mines.

Corporations thus formed and thus Employed have done much to give to this Territory the just appelation of the richest County of the World and have been greatly instrumental in attracting not only Capital and Capitalists to it. but also large Numbers of what Constitute a State or Territory Wealth - namely. the laboring Masses.

Neither will it be forgotten that the investments at one time comparatively small and insignificant. under their workings. have now assumed gigantic proportions. and men who a few years ago were poor are now reposing upon an ample abundance. When the eye takes in at a glance the situation of the Territory today. as compared with its condition three short years ago. it compels the heart to rejoice at its unparalled success.

Where then were barren Mountain slopes and desert plains. Now are seen thriving cities and stupendious Business operations: Where then the Children of the wildness held sway. Now the intelligent and indomitable white Man reigns Supreme

Where then were idleness. unproductiveness and want Now we behold that stirring activity and thrift which always follow in the wake of well directed labor. Our mountains so high that they literally pierce the clouds. and whose snow capped peaks were so forbidding as to cause the wild Man of the desert to hesitate as he approached their frowning Fastness in his Wanderings. are now made. by the skill and Enterprise of the white Man. great thoroughfares and highways where the traveler counts by thousands. The Lawns and

in the transportation of products to us from without. and of our own products from our midst
This great change and Metamorphosis has been wrought by the instrumentality of Capital in the development of our mines. and most of this Capital was originally brought to us from abroad.
While we look with wonder at the changes so important to us, we should treat with care. and Every Kindness the power that has wrought them:
In forming a law upon this subject under consideration. Two things of paramount importance will be borne in mind by its framers.
Firstly. that all foreign Corporations must be subject to our local jurisdiction. They must be so placed by our laws that they can sue and be sued in this Territory. Secondly (and this is the most difficult point that you have to deal with in this matter) the justness of taxation in the premises. How are the corporations to be taxed? And what is to be taxed? These are the two questions which you in your wisdom will have to answer. Are the improvements to be taxed? That question was answered affirmatively by the Legislature last winter. And in the recommendation that I had the honor to submit to that body, viz: The taxing of the gross proceeds of the Mines: The Committee to whom that question was referred disagreed with me in my recommendation and Himself recommended taxing only the Net proceeds of the mines which recommendation was not adopted, a plan of taxing improvements being substituted instead.
It seems to me that the true rule in this matter lies either in taxing the Net proceeds or the improvements of the Corporations: and the result of adopting one or the other is of consequence only as it affects the ratio of taxation. If the former method be adopted and the ratio will be high: if the latter be adopted. then the ratio will be more: and this question as regards improvements. affects all other branches of industry In determining it. it will be well to remember

that the mines of this Territory are the means of support of all of our other great business interests. Upon the influence of their wealth. the Farmer sells his products! the merchant his wares the Mechanic labor and the legislator toils.

In a word our mining interests underlie all the interest (business) of Nevada. Upon their success depends the future of this now promising Territory.

What system of taxation should be adopted that would be best calculated to foster and Encourage that great interest already developed and that would be most likely to facilitate production from those now in process of opening. The work of seperating our gold & Silver from the ore is attended with great outlay & Expense. and Consequently requires a large amount of Capital which must of necessity come from Abroad, until the time shall arrive (which I trust is not far distant) when we can furnish Capital not only for ourselves but for the development of other Mines as well as those in various sections of our own Territory. In this delicate labor of determining what shall be taxed. as pertains to the mines. You will Endeavor to place as few burthens upon them as possible. consistently with the requirements of sufficient revenue to place our Territory at all times in an independent condition. and to furnish its treasury with sufficient money to meet at all times. the demands, that may Exist against it: Remembering always that taxation must be uniform. and that by the provisions of the Organic Act. no discriminations can be made between foreign and domestic capital. Nor among the different kinds of property: and remembering further. as a natural consequence. that all property subject to taxation should be taxed in proportion to the value of the property assessed.

Concerning the organization of the Militia of the Territory and what has been done relating it I respectfully refer you to the report of the

Adjutant General, which with his respective recommendations I herewith submit and commend to your favorable attention with his additional recommendations that your honorable bodies adopt some means by which the organization of independent companies shall be increased, as they are the only class of our militia to which arms can be furnished. and as I consider it of the utmost importance that we should have at least one thousand good and loyal men well armed and organized in Nevada

In my message of last year I recommended a system of free schools. which in substance was adopted by your predecessors with a becoming promptitude which exhibited their ready appreciation of the importance of an early Educational training of our youth. with reference to the present Enlightened standing and the future welfare of this Territory

The report which I submit to you. of the Superintendent of Public Instruction, reveals some progress in the establishment of the system within his jurisdiction. and. at the same time. points out sundry deficiencies in the law. and makes suggestions. by way of remedy. which I recommend to your careful consideration. I recommend especially that provision be made for the establishment. in the several Counties of a competent board, whose duty it shall be to Examine applicants for teachers certificates. with a view to prevent. as far as possible. the employment of unsuitable persons

Teachers in my opinion, should possess not only the learning requisite. but also the moral qualifications to Educate in order. that heart may not be forgotten. while the mental faculties are in process of development

An Educator to be successful, should possess the faculty of impressing his knowledge upon the minds of others - a faculty that may to a certain able extent. be cultivated. in accordance with the extent of interest taken by him in the progress

of his pupils. Such interest depends in a large measure upon that taken by parents and guardians in the advancement of their children. Let them exhibit pride by visiting the schools. in the Educational welfare of the scholars. and the teacher will have a further incentive to do still more. The Superintendent. I regret to say. feels compelled in his report. to complain of a lamentable want of interest in this respect. It should be done away with. Carelessness on the part of those having in charge the Education of the young. Amounts to a species of Criminality. the consequences of which will be visible in all the phases of after life. If parents would have their children occupy respectable positions in society. they must watch vigilantly their Education: if they desire that their sons and daughters shall be Virtuous and honorable they must see that the Teachers of them are teachers not only in name but in Moral & intellectual qualifications also

Errors or false impressions upon the youthful Mind are like spots upon polished steel which can never be erased. I conjure all parents to take a lively interest in our schools. and in the character of them. If they will the reward will be to them far richer and more Enduring than gold and of deeper consolation than the accumulation of wealth. The riches of the Mind are treasures that Endure.

I trust that no means will be withheld to place our common schools upon a liberal and substantial foundation. a carefully devised system now. under which Every Child in the Territory shall have free access to the doors will inure to a highly intelligent. an Educated and accomplished people hereafter

Provision is made in the Organic act that this Territory shall be divided into three judicial districts. and that a district court shall be held in each of the districts by one of the Judges of our Supreme Court. at such time

and place as may be prescribed by law:

This provision shows clearly that Congress in the construction of its did not contemplate the extent of the judicial business of our territory; and in the clause above referred to, for such reasons provided for only one session of the Court in Each district. during the year and established as compensation to the Judges thereof the annual sum of but Eighteenhundred dollars. an amount less than that which is paid to those of any other territory. Except to those of the Territory of Colorado

An act of Congress dated June 14th 1858 provides that it shall be lawful for the Judges of the Supreme Court in any Territory to hold additional terms of Court in the various counties of their districts. which may be provided for by Territorial law. for the purpose of transacting business "other than that in which the United States is a party" and it is by the same act made lawful for the Territory to pay the Expenses of the same

It is well known that the business of this Territory has been so great. that in addition to the one session provided for by the organic act in Each district. it has been necessary to hold Courts in the various counties of the Territory already organized and in some instances as high in Number. as four terms a year have been required by a single County. In addition to all this. the remaining time of the Judges has been almost constantly occupied in the discharge of duties which are not confined to business in open Court alone. but to their labors at chambers which by law they are required to attend to daily. In this state of the law and in view of the great increase of the terms of Courts required by the business interests of our people. beyond those Contemplated by the organic act. I deem it proper to inquire whether the Salary now provided for the Judges is sufficient. and whether

the compensation for additional labors and tems. alluded to by the act of June 14th 1858 should not be allowed by now.

Our Judges have labors greater and more numerous than those of the Judges in most of the districts in the neighboring State of California to attend to: yet in this Territory. where the cost of living is much higher. they receive for the support of themselves and families a compensation which when converted into money. amounts to far less than one half of the sum paid to the Judges of any of the districts of that State.

I recommend. therefore. that you provide an additition to the compensation paid. by the General Government to these officers which shall be commensurate with their duties and responsibilities. and bear a fair proportion to the Magnitude of the interests upon which they are required to adjudicate. Now I am less than one of five or six thousand dollars. while the costs of living is so Expensive. and the interests are so Vast as they are in this Territory. would seem to me to be inadequate

By virtue of an act entitled" an act Relating to a Territorial Prison and Asylum" passed at the last session of the Legislature. the Governor Secretary and Surveyor General of the Territory were appointed a Board of Commissioners. and Empowered to lease. purchase or have Erected at the Expense of the Territory, a suitable building to be used as a Prison. at a cost not to exceed ten thousand dollars. Upon inquiry and investigation. we ascertained that no building could be either purchased or built suitable to the purpose at the amount of the appropriation and this without taking into consideration the Employment of a Warden and other officers made requisite to the safe Keeping of Prisoners. We thought under the circumstances that it would be best to Enter into a contract with the Low a Company for the Keeping. guarding and furnishing of

the prisoners that the Territory then had on hand and of all such as should be committed at any time within the year, until the first day of January next. which was accordingly done. the Board agreeing to pay my bill, on behalf of the Territory. the sum of five hundred dollars per month. in consideration for his services and outlay in the matter. The number of Territorial prisoners has been small. not Exceeding four at any one time. as I am informed. In order to give Mr Bell power to discipline and control the prisoners. I appointed him Warden of the prison (as I was authorized to do by law) without compensation. in accordance with a stipulation of the Contract. He was however. to have the profits of the prisoners labor. in further consideration of his furnishing all the help. attendants and guards necessary

I think the contract is a good one as far as pecuniary considerations are concerned. For future purposes. however. I recommend the purchase or Erection of a suitable building. adapted to the better discipline and the safer keeping of those convicted of crime and committed by person.

In the construction of the prison building, suitable apartments adapted to hospital purposes. might be added thereto without much additional outlay of means. and the physician attending the prisoners, could then in the mean time. attend to the unfortunate inmates of the hospital without increased Expense.

Some weeks since I received from William Phipps Blake a Commissioner elected to represent the Mineralogical and Mining interests of the Pacific Coast of the United States at the International Exhibition held at London. England. during the year 1862 and a number of the Committee A. appointed at a meeting of the General Committee at Sacramento. California. in September. 1861. of which I had the

honor to be Chairman, a Valuable report dated on shipboard between California and Japan. January 1862. written from Notes taken by himself while journeying through this Territory. Upwards of a year ago. It treats of the physical geography and geology of this Section of the Country: of our principal Mines and Veins: of the Mills. Reduction Works and Processes in use for the Separation of Ores: and generally of routes. distances. Elevations and Statistics: all of the highest interest and of far reaching value to the people and history of our young Territory. as something reliable descriptive of and concerning our territorial resources. Wealth and development. it would constitute a most Valuable pamphlet to circulate through other portions of our own Country and to lend to Countries abroad. Such an exposition as this of the important facts of Nevada is much needed. Particularly as so little has yet been published with regard to them. and as that little has been so flippant and unreliable a character. Nothing but Correct information well disseminated is necessary to attract to us a population and Wealth altogether beyond the Expectations or hopes of the most sanguine. Frequently do we receive Communications asking for information of the character so fully & ably given in this most interesting report. I do recommend that an appropriation be made by your honorable bodies for the printing of the same. and that too. for the printing of it in such form as to make it convenient for circulation. believing that it would be one of the most potent agencies in attracting attention to this highly favored section of our land.

It has occured to me that the act entitled "an act concerning Mines & Amendments" needs some amendments. Prominent among the evils of the criminal practice is the right of

One Judge. without. an Examination of the Evidence or the facts in a given case. after the conviction of a criminal. and after sentence is passed. to grant a writ of Supersedeas. and a Stay of Execution until the final hearing of the case before the Supreme Court. If this Method of Practice remains upon the Statute book. the trial. conviction and sentence of a criminal are but incipient steps in the weary pilgramage of litigation, I assume that all persons convicted of capital offenses will appeal to the Supreme Court. which Such appeal Virtually Stays the Execution of the sentence until the annual session of that Court. The presiding Judge before whom the case is tried knows when he pronounces the solemn sentence and assigns a day upon which the sentence is to be Executed. as well as the unfortunate culprit himself. that such sentence will not be executed if it is fixed at any time prior to the session of the Supreme Court. While I am anxious that all persons accused of crime and Especially of crimes of that nature that Works the forfeiture of life. should be sheilded by all the forms and Substance of Justice and law. still I am convinced that Speedy and Certain punishment for crime is the terror of those who are prone to commit it. If the Supersedeas is to continue to follow almost as a matter of course. then I think it would be possible to say at once that an appeal shall Operate as a Stay of proceedings. than to compell a Judge to issue his Mandate. While. at the same time. he is convinced that the rulings of the presiding Judge are all correct. and the finding of the jury in accordance with the facts of the case. I recommend that in cases where a Stay of proceedings is desired that notice shall be given to the presiding Judge that on a given day a motion will be made to that

Court: And that time shall be given to the Judge to whom this notice is given sufficient to summon one or both of his associates Judges to be present: that the motion shall be made to the Two or three so attending, and that the rule made by them upon the hearing shall be entered as a rule by the Court instead of a rule by a single Judge

Section thirteen of this law provides that "No black or mulatto person or Indian or Chinese shall be permitted to give Evidence in favor of or against any white persons. Every person who shall have one Eighth part or more of negro blood shall be deemed a mulatto: and Every person who shall have one half of Indian blood shall be deemed an Indian

Section three hundred & forty ~~two~~ of the Act relating to the Civil Practice provides that "persons having one half or more of Indian blood and negroes or persons having one half or more of negro blood" shall not be witnesses in any action where a white person is a party to the suit

In comparing the two sections it will appear that there is a discrimination made in behalf of colored persons testifying in civil proceedings. This regard is wrong. If any discrimination is to be made at all it should be in behalf of persons accused of crime.

In the one case property only is involved, in the other deprivation of liberty, life. A careful Examination of the Matter under the Experience and observation of nearly a quarter of a Century of professional life persuades me that all persons of all races that are held amenable to law, who share in its protection and are subject to its power who are taxed by its statutes and taxed for its Maintenance should be allowed to testify in Court

It is urged by many that to permitting persons of Color to testify will Elevate them in the Scale of humanity. and Make

them Near the Equals of the white man. Admitting such an assumption to be true, it furnishes no argument against its propriety.

I do not believe that if the entire Energies of the superior Race were directed to the Elevation of the Colored Races, it would place them higher in the scale of being than the Creator designed them to occupy.

It is not alone for the class of people prohibited from testifying by our Statutes that the amendment is asked: but for the white race chiefly. Many instances will occur in the future, as many have occured in the past. where the proper administration of justice will demand the admission of this now Excluded testimony. Justice in her administration, demands the shedding of all light possible upon questions under adjication. and she will be satisfied with nothing less. She seeks for truth. come it from what source it may, and she stops not to inquire from what the color of the party giving utterance to it may be. nor what nation may have given him birth. The tribunal, to which Evidence is submitted must weigh it in the scale of its judgment. and receive all that is worthy of credit and reject all that is unworthy of credit. Correct in either case, from whatever source it may. The surroundings of the witness, his position in society. his general intelligence: the opportunity he may have had of ascertaining somewhat concerning the subject on which he is testifying. his general truthfulness: his demeanor in life. and the whole man. are proper subjects of inquiry for Courts and Juries. They will seldom Err in giving to Each his proper place in determining Exactly what weight is due to Each mans testimony. Truth is always Consistant with itself: falsehood is always full of inconsistencies.

I have been unable to obtain even that approximate amount of the productions of our Mines during the last year; but from the best information within my reach. I estimate it to be as deep in the region of one Million Dollars a Month during the season when the Mines have been worked. The terrible destruction of Cascoad by the floods of last winter, that destroyed the Mills and Mines. and the great loss of Machinery that resulted therefrom united with inability to replace the Machinery which was injured or lost with other Machinery has operated to the prejudice of production. Enough however has been accomplished by our miners and mills to show conclusively that within our borders are the richest mines in the world; covering a greater extent of country and of a nature more immensely rich than those of which any other section of our own Country can boast. The question as to the amount of wealth that we can produce per annum is answered by saying: As many millions as we can procure Machinery and to reduce. The quantity of ores is incalculable. Suffice it to say, that it is absolutely inexhaustable. I see but one probable drawback as regards the richness of the precious metals, and that is the future want of fuel necessary to the reduction of the ores, on account of the distance over which the fuel will ultimately have to be hauled. This can be remedied to a great extent by opening means of cheaper transportation from the mines to the timber, whereby each can be brought within easier communication with the other than is at the present the case. And I fondly cherish the anticipation that long before our convenient supply of fuel shall be

exhausted a railroad across the continent will enable us to procure it from it from either direction, at rates lower rates than those at which it now offered. I recommend to the Legislature a liberal policy towards those who are striving to construct such a road across the mountains from our neighboring State of California, believing that when that great obstacle of the Sierras is surmounted, the completion of the Pacific Railroad is insured. I have no doubt that if the people of this Territory, in their Territorial capacity, should subscribe two hundred and fifty thousand dollars, or even twice that sum, to the stock of the road across the mountains, it would return the inhabitants for each one so subscribed during the first year of the completion of the road to our settlements.

I am unable to state the exact condition of our financial affairs, for the reason that the several departments to which I am to look for such information have not themselves been supplied with it by those whose duty it is to acquaint them of the exact amounts levied and collected in the various counties. No one is to blame in the premises, as the supplemental assessments were made so late as to render it impossible for the officers to make returns thus early of their doings. I will however approximate very closely to the amount, and congratulate the people of this Territory that they are comparatively free from debt.

I am informed by the Au-

rial Auditor that the warrants drawn by him amount in round numbers to $46,000; that about $7,000 of that sum are not payable until the fiscal year of 1863 and 1864 — the amount being embraced within two warrants, directed to be drawn in that manner by the last Legislature, payable to John L. Blackburn, late Sheriff of Benson and Ormsby counties, as passed this year, amounts to about $8,000,00, and that the amount of taxes coming into the Territorial Treasury will reach the sum of $36,000, leaving a deficit of about $4,000. This will be varied to some extent, according as the estimates of the counties which have not yet made their reports shall depart from the exact amounts.

The expenses of the year have been greatly increased by the large sum necessarily expended in the prosecution of William Mayfield, a man charged with the crime of murder, which expense, together with that involved in the prosecution of others charged with crimes committed prior to the organization of the counties, was made chargeable to the Territory, instead of to the county of Ormsby, in which they were tried. I deem it of the highest importance that in the prosecution and retention of Mayfield no expense necessary to a proper vindication of the law be spared. He had coolly murdered one of the officers of the Territory, under circumstances the most aggravating, while that

officer was in search of one of the most daring and unblushing criminals in the country, and persons were not few in number nor wanting in in power in our midst to furnish means for his defense in court and for his escape from confinement, if possible. He was tried, convicted and sentenced to be executed, but he escaped from jail, or the jail-ed of his confinement, before the period fixed for his execution, but not until a supersedeas had been granted staying the execution until after the case could be heard in the Supreme Court, which was to meet several months after his conviction, on the first Monday of June. The sum appropriated to guard the jail was already more than exhausted, and indictments were not unfrequent of unnecessary expenditure in guarding the jail and preventing escape. A prision constructed in the most substantial manner was provided for him and the guard dismissed. He escaped and is now depredating upon the rights of a defenseless people in a neighboring Territory. The exact amount expended in guarding the jail, and the manner in which it was expended, will furnished to you in due time, for your consideration. By the escape of Mayfield, justice was robbed of its due and the laws brought into contempt, and the Territory therefore suffered in its reputation for vigilance. I sincerely hope that no repetition of such a character as this Mayfield escape will

occur.

The Territorial Treasurer and Auditor will furnish you, as the earliest possible moment with the report of the exact standing of our present financial condition, and make such suggestions as may occur to them regarding amendments to existing laws, with a view to insure a harmonious working of our financial system.

I respectfully suggest to change, to the present laws governing upon this subject; Firstly, That the fiscal year shall end on the thirtieth day of June instead of on the first day of November, as at present - in order to have such information in relation to assess the property of the Territory, which includes that period of time during which the largest amount of property subject to taxation exists. While the crops are grown and gathered, and the merchants stocks of goods are the heaviest, great supplies for the winter are then brought into the Territory. By such change a supplemental assessment may be avoided, and the expenses incurred for assessing. If this suggestion should be adopted the necessity of the second amendment would be fulfilled, namely: The time of the convening of the Legislature should be changed to the first of January in order to enable the proper officers to possess themselves of all the necessary knowledge within their province and lay

et before you at your meeting - to inform you concerning what has been done and what it is necessary to do to supply the Territory with revenue.

Under and by virtue of a law passed at the last Session of the Legislature, I appointed Joseph Wolsheimer as Commissioner to represent this Territory at the International Exhibition, held at London, England, in May last. I experienced great difficulty in procuring a proper person, owing to meagre appropriation made for that purpose, to represent the interests of the Territory at that most important exposition of the products of nations. As Mr. Wolsheimer was about to visit England, he consented to represent us at the great fair, and he performed his mission satisfactorily. He procured the decision of the Committee having charge of the Mineral departments of the Exhibition in our favor, and he succeeded to us the great medal awarded by that Committee for the richest specimens of mineral productions. The advantage of this step will soon begin to be realized by the Territory in the arrival of foreign capital for investment in our mines.

In concluding this message, already too long, I deem it not inappropriate to appeal once more to the patriotism of the citizens of this Territory, and confine them to stand firmly by our struggling country in this

her hour of severest trials. In making this appeal, I am not unmindful of the deep feeling of sympathy that prevades our people. Nobly have they given of their substance to soothe the anguish and alleviate the sufferings of the sick and wounded of our army participating in the deadly strife. The whitened lips of the dying and the fainting voices of the exhausted soldiers have already pronounced the name of Nevada with emotions that have gushed forth in song, and thousands of grateful hearts are filled with thanksgiving for the munificence of her donations. Could a tongue be placed in each of the falling drops stained by her tireless sacrifices, the air would be vocal with blessings and praise borne to our ears upon the breezes of the East. Pause not in this field work of mercy and love until the last wound is dressed, the last groan has died away, the last sigh breathed, the last gun fired, the last rebel subdued; until the fleecy angel of peace shall engrave with heavenly grace of the horrible demon of war; until our former glory is restored and our unity as a nation is fully and forever established. Continue in this good work as in the discharge of a [redacted] duty, as a boon but loving return for the immeasurable blessings conferred upon us by this Government with its Heaven born institutions.

Relying with perfect confidence in the ultimate success of our arms and efforts; fully believing that it is ordained by God that personal and political freedom, as they are secured to us under the Constitution, are the birthright of man, and not to be surrendered, even though systems of oppression shall be obliterated in the struggle - even though it require the sacrifice of a million patriots - I firmly believe that the final triumph will a victory for man, and for the world. That when peace - gentle, benignant peace shall again shed her blessings upon us, the world will see and know what a sublime thing a free people is.

With an abiding confidence in the God of our fathers who led them through the revolutionary struggle, and a firm belief that He will lead and direct us, their sons, in the holy work of battling to retain the rich inheritance they bequeathed us, as much as in all other affairs of governmental and political import I doubt not that your efforts, in your legislative capacity, will be crowned with such success as will satisfy a confiding constituency.

James Y. Nye

Carson City November 11th 1862.

Upon the conclusion of which the President announced the convention adjourned and the Council withdrew to its chamber.

In Council

President in chair. Roll called - Absent Messrs. Hannah Gray and Stuki

Quorum present.

Mr. Hall offered the following resolutions.

Resolved, That W. H. Barstow Esqr. deserves and has our thanks for the very gentlemanly and efficient manner in which he has performed his duty as Secretary in the organization of the Council. Resolution unanimously adopted.

Mr. VanBokkelen offered the following resolution

Resolved, That the proper officers of the Council certify to the Secretary of the Territory the services of W. H. Barstow as Secretary and H. C. Smith as temporary Sergeant-at-arms in the organization of the Council.

Mr. Nash offered the following resolution:

Resolved, That Messrs A. J. Marsh C. H. Rice and Samuel Clemens as reporters have desks and chairs and stationary furnished them. Adopted.

The President announced the following standing committees.

On Incorporations. Messrs Nash Thompson and VanBokkelen

On Mining and Mining Interests Messrs. Todd Ford and Hannah

On Federal Relations. Messrs. Steele, Geller and Lewis.

On Education. Messrs Hannah Lewis and Ford.

On Enrolling, Luther Lewis and Geller.

On Printing. Messrs Ford Lewis and Geller.

On Engrossing Messrs Lewis Hannah and Shunteveau.

On Militia and Military Affairs

Messrs. Ford Roop and Stutesman.

On Revenue. Messrs. VanBokkelen Ford and Hannah.

On Agriculture Messrs Stutesman Geller and Luther.

On Roads and Highways. Messrs Geller Ford and Thompson.

Mr. Hall moved that the Council do now adjourn. Carried.

Council adjourned.

Fourth days proceedings.

Council Chamber
Nov. 14th 1862.

Council met pursuant to adjournment. President in the chair. Roll called Absent on leave Messrs Hannah and Steele. Quorum present

Journal of yesterday read approved.

Mr. Ford offered the following resolution.

Resolved, That the Rev. T. H. McGrath be appointed Chaplain of the Council during the present session

Mr. Van Bokkelen offered the following as a substitute!

Resolved, That after calling the roll of the Council strict silence shall be observed for the space of five minutes in order that those members who are devotionally inclined may engage in silent prayer and send up such petitions as their own sense of sinfulness and wants may suggest and that during such time the Sergeant at Arms be requested to allow no one to enter or retire from the Council Chamber

Substitute was lost and original resolution adopted.

Mr. Sturtevant offered the following resolution

Resolved, That that a committee of two be appointed by the President to act in conjunction with a like committee from the House of Representatives to prepare joint rules for the government of both Houses. Carried.

The President appointed as appointed as such committee. Messrs Van Bokkelen and Luther.

Notice of Bills

Mr. Pugh gave notice that he would introduced at an early day the following bills.

A bill for an act to increase the compensation of the Judges of the Supreme Court.

A bill for an act to prevent the immigration of Chinese and impose a taxation tax on those now in the Territory.

The Secretary of the Council reported that he had made arrangements with the Secretary of the Territory to furnish members of the Council with Postage Stamps.

The President announced the following additional standing committees.

On Counties and County Boundaries Messrs Ford Roop and Geller

On Contingent Expenses: Messrs. Roop Thompson and Luther.

Mr. Roop offered the following resolution

Resolved that the Council do now proceed to elect two copying Clerks one as an Enrolling and one as an Engrossing Clerk for the Council

Mr. Luther moved to amend by authorizing the Secretary of the Council to appoint two clerks, one as an Enrolling and the other as an Engrossing Clerk.

The amendment was lost and the original resolution was passed.

The Council then proceeded to the election of an Enrolling Clerk.

Mr. Rose nominated J. L. LeNarde

Mr. Van Bokkelen nominated W. T. Parkinson.

A ballot being had resulted as follows:

J. L. LeNarde received 11 votes W. T. Parkinson received 1 vote.

J. L. LeNarde was declared elected Enrolling Clerk.

The Council then proceeded to the election of an Engrossing Clerk

Mr. Steele nominated Hiram Knowles

Mr. Van Bokkelen nominated W. T. Parkinson, Mr Stuteant nominated P. W. Van Winkle

The first ballot resulted as follows: Hiram Knowls 4 votes P. W. Van Winkle 2 votes W. T. Parkinson 6 votes.

The second ballot resulted as follows Hiram Knowls 4 votes W. T. Parkinson 8 votes. W. T. Parkinson was declared elected Engrossing Clerk.

The oath of office being administered by the President of the Council to W. T. Parkinson as Engrossing Clerk and to J. L. LeNarde as Enrolling Clerk of the Council, they entered upon their respective duties.

Notice of Bills

Mr Stuteant gave notice that at an early day he would introduce bills of the following character:

A bill for an Act granting certain

parties a franchise to raft logs down the Truckee river and construct a toll road from a certain point on the Truckee river to Virginia City.

Also a bill for an act granting to certain persons the right to construct a toll road from Sea Vine Springs in Washoe county to the Humboldt river and to construct ferries and bridges across the Truckee river.

Mr. VanBokkelen gave notice that at an early day he would introduce bills of the following character:

A bill for an Act concerning roads and highways.

Also a bill for an act concerning "an act to regulate fees and costs" approved Nov. 29th 1861.

Mr. Hall offered the following concurrent resolution No. 3.

Resolved by the Council the House of Representatives concurring that the standing committees on printing of the two Houses act a joint committee for the public printing exclusive of such as comes within the province of the Secretary of the Territory; and that the joint committee recommend and provide for the printing of a suitable number of the Governors Message and accompanying documents.

Mr. Van Bokkelen moved to amend by striking out all after the words Secretary of the Territory. Carried.

The resolution as amended was passed

On motion of Mr. Van Bokkelen it was ordered that one thousand (1000) copies of the Governors Message with accompanying documents be printed

for the use of the members of the council.

On motion of Mr. Hall the report coming from Professor Blake was received by the committee

The President appointed as such committee Messrs Hall Van Bokkelen and Steele.

Mr. Sturtevant offered the following resolution:

Resolved, That the President of this council shall appoint a standing committee of three on Internal Improvements. Adopted.

The President appointed as such committee Messrs. Hall, Van Bokkelen and Steele.

Mr. Sturtevant offered the following resolution:

Resolved, That the President of this Council shall appoint a standing committee of three

"act to provide compensation for the Supreme Judges of the Territory for the transaction of Territorial business." approved Nov. 4th. 1861., which were read a first time and referred to the committee on Judiciary.

Mr. Van Bokkelen offered the following resolution.

Resolved that when the council adjourn it will stand adjourned until noon on Monday next. Adopted.

On motion of Mr. Hall the Council at 1.05 O'clock P. M. adjourned.

Fifth day

Fifth days proceedings.

Council Chamber
November 17th 1862.

Council met pursuant to adjournment at 12 O'Clock M.

President in the chair

Roll called.

The following members were present Messrs. Ford, Geller, Hall, Hannah Lewis, Luther, Pray. Mr. President Roop Steele, Sturtevant Thompson and Van Bokkelen 13.

Quorum present.

Prayer by the Chaplain

Journal read and approved.

Mr. Hannah asked and obtained leave of absence for one day.

Notice of bills.

Mr. Steele gave notice that at some future day he would at some future day ask leave to introduce a bill entitled "an Act supplemental to and amendatory of an Act creating offices in the Territory of Nevada approved Nov. 29th 1861.

Mr. Ford gave notice that at some future day ask leave to introduce a bill entitled "An Act supplementary and amendatory to an Act relating to the militia of the Territory of Nevada,

Also a bill entitled "An Act granting the right of way for constructing a Toll, road from the town of Dayton Lyon County to the West branch of Walkers river.

Mr. Hall gave notice that he would soon present a memorial to Congress asking for amendments to the Organic Act of Nevada Territory providing that the people of the Territory shall fix the compensation of members and time for holding session, of the Legislature, choose their own Judges and shall establish their own Judiciary system. Limit Executive vetos power and defray the expenses of the Territorial Government.

Mr. Lewis gave notice that he

would ask leave to introduce a bill entitled "An Act. provide for the publication of the laws of Nevada Territory as passed by the second session. Assembly now convened, in some one of the newspapers of the Territory.

Mr. Stull gave notice that he would at some future day ask leave to introduce a bill entitled "an act supplementary and amendatory to an act relating proceedings in civil cases in the Courts of Justice in the Territory of Nevada approved" November 29th 1861.

Mr. Roop gave notice that he at some future day would ask leave to introduce a bill entitled "an act to construct a toll road in Lake county and not in Ormsby County.

Communication from the House

Territory of Nevada
House of Representatives
Carson City Nov. 15th 1862.

To the Hon. the Council:

I respectfully advise your Honorable body, that the House have instructed its printing committee to act conjointly with the committee on printing on the part of the Council concerning Extra printing; also that the House has appointed Messrs. Mitchell and Brownfield on its part as a committee to act conjointly with the like committee from your Honorable body for the purpose of preparing and reporting joint rules for the ~~the~~ government of the two Houses.

Respectfully
Wm M. Gillespie
Clerk

Mr Lewis from the committee on printing appointed to act conjointly with a like committee from the House submit-

ted the following report.

To the Honorable the Council of Nevada Territory: Gentlemen,

Your committee to whom was referred under your instruction to connect and act conjointly with a similar committee from the House respectfully beg leave to report that we have met the House committee and after due consideration of the matter submitted to us have determined to recommend that the Legislative Assembly shall assume and make a Territorial charge of all incidental printing leaving the laws and journals only to be paid for by the Federal Government. We would further report that we have consulted with the Honorable Orion Clemens Secretary of the Territory who approves of the suggestion and expresses the opinion that with this aid the Federal appropriation will be amply sufficient to meet the expenses of the Territory. We would further report that with a view to expedite business we have invited and received a proposition from Messrs Goodwin and McCarty and here with submit the same for your inspection and subject to your action. We would further report that in our opinion the aforesaid proposition should not be accepted as we much doubt the policy of depreciating the Territorial Currency by in any manner recognizing that it could be less than par. Your Committee would not wish to be understood as advising your Honorable body to close your eyes to a state of facts that is patent to all the country but rather instead of by legislative action aiding Money brokers and usurers in the ex-

ing Territorial credit to the detriment of the many and the advantage of the few tare seedy measures to improve that unwholesome condition of Territorial finance that suggests the before named propositions

This duty legitimately belongs to your committee of Finance and we respectfully call their attention, to the necessity that exists for prompt and efficient action. It has been suggested to your committee that as an economical measure it would be well to elect an expert with a moderate salary through whose hands all printing should pass to and from the printer, whose peculiar province it should be to measure the composition count the press work and paper, and protect the Territory against that uncontrolable appetite for that constitutes a marked feature in the character of the typesetting fraternity. Should your Honorable body deem the suggestion worthy of attention it would still in your committees opinion be found necessary to, by statutory enactment to fix the rates to be allowed to the public printer or perhaps what would be better the percentage to be allowed to the contractors on regular prices as established by the printers Union, unless in your wisdom you should decide to invite bidders and protect the Territory against extortion through competition.

Believing that the above report notices all the points that call for your consideration your committee respectfully submit the same, recommending that immediate action be taken to the settlement of a vexatious question that cost you dear a most painful source of delay and strife and

offense.

Ford Chairman
Lewis & Gellen

Together with the following propo-
sition from Messrs. Good & McCleary.

To the Honorable the Legislature of
Nevada Territory, Gentlemen:

We will execute
the incidental printing for both bran-
ches of the Territorial Legislature on the
cash system (or its equivalent in scrip
at market value at time of auditing
claims) of $1.50 per 1,000 ems composi-
tion, $2.00 per token press work and $20-
per ream for paper. The small blank
or job work usually done for your Hon-
orable body during the session is too
limited to require an estimate for
composition and press work and we will
therefore charge for it as ordinary press
work.

We wish to call the attention of your
Honorable to the fact that the present and
prospective value of Territorial scrip
makes it impossible for us to submit a
correct estimate for the work on any
other than a cash basis as the inter-
ests of both the Territory and our-
selves will be protected thereby, the
Territory deriving the benefit of an
advance in the value of scrip thro-
ugh legislation or otherwise and
ourselves saved from loss in case
of depreciation.

Your Most Obt. Servants.
Goodman & McCleary.

Which report together with the propo-
sition were refered back to the com-
mittee for further investigation

Mr. Hall from the standing commit-
tee on the Judiciary to which was

referred the bill entitled "an act to provide for the increase of the salaries of the district Judges of Nevada Territory reported that they had had the same under consideration, had come to a favorable conclusion thereon and reported bill correctly chairman to report the same to the Council without amendments and recommend its passage.

The report was agreed to and the rules suspended, bill read a second time and considered Engrossed and read a third time and passed by the following vote.

Ayes Messrs. Geller, Hale, Lewis Luther Bray, Wm. Resident, Rodgh, Steele, Sturdevant and Van Bokkelen, Noes none

Absent Messrs Ford Hannah & Thompson

Communication from the House.

Territory of Nevada
House of Representatives.
Carson City Nov. 17th 1862

I herewith transmit for the concurrence of your Hon body the following entitled resolution the same having passed the House this day Viz:

An Act to extend the time for collecting the taxes in the several counties of this Territory of Nevada.

Also an Act to authorize the county Recorder of Story county to appoint a deputy

Respectfully
Wm M. Gillespie
Clerk.

On motion of Mr Van Bokkelen House bill No. 1, entitled an Act to extend the time for collecting the taxes in the several counties of this Territory of Nevada was referred to the committee on Revenue

On motion of Mr. Hale House bill No. 2 entitled "An Act to authorize the County Recorder of Story county to

Appoint a Deputy was referred to the Story County delegation

Mr Hall from Standing Committee on the Judiciary to which was referred the bill Entitled An Act to repeal an Act, Entitled An "Act to provide Compensation for the Supreme Judges of the Territory for the transaction of Territorial business "Approved November A.D. 1861. Reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the Council without amendment, and recommend its passage

The report was agreed to the rules Suspended and the bill read a second time and considered Engrossed and read a third time and passed by the following Vote. Ayes, Mess^rs Ford. Geller. Hall. Lewis. Luther. Pray. Mr President. Roop. Steele. Sturtevant, and Van Bokelen. Noes. None. Absent Mess^rs Hannah and Thomson

The President called Mr Hall to the Chair

Mr Van Bokelen from the Standing Committee on Revenue to which was referred the House Bill Entitled "An Act to Extend the time for Collecting the taxes in the Several Counties of this Territory of Nevada reported that they have had the same under consideration and directed their Chairman to report the same back to the Council and offer as a Substitute therefor a bill Entitled An "Act amendatory of and Supplemental to an Act to provide for the assessing and collecting the County and Territorial Revenue Approved November 29^th 1861. Report received and the bill read a first time the rules Suspended. Bill read a Second time. Considered Engrossed. Read a third time and passed by the following Vote.
Ayes. Mess^rs Ford. Geller. Lewis. Luther. Pray. Mr President. Pugh. Roop Sturtevant. and Van Bokelen 10.
Noes. Mr Steele. 1. Absent Mess^rs Hannah and Thomson.

Mr Van Bokelen to whom was referred the bill Entitled An "Act to authorize the County Recorder of Story County to appoint a Deputy reported that he had had the same under consideration. had Come to a favorable Conclusion thereon and recommend-ed its passage without amendments.

The report was agreed to rules suspended. and the bill read a first and Second time and considered Engrossed and read a third time and passed by the following Vote. Ayes. Mess" Ford. Geller. Lewis. Luther Nev President Roop. Steele. Shurtevant. Van Bokelen and Pugh. 11. Absent Mess" Haunah and Thomson 2.

At 2. o. Clock P.m. on motion of Mr Steele the Council adjourned.

Sixth days proceedings.

Territory of Nevada
Council Chamber
November 18th 1862

Council met pursuant to adjournment
President in the Chair
Roll called Quorum present.
The following members present
Mess" Ford. Geller. Hall. Haunah. Lewis. Luther. Pray. President. Roop. Steele. Shurtevant. Thomson. and Van Bokelen.
Prayer by the Chaplain
Journal read and approved of yesterday

Communications

The following communication was received

To the President, Members and attaches of the Hon. the Council of Nevada Territory
Gentlemen

You are hereby respectfully invited to attend the Nuptials of Dr A.W. Tjader and Miss Lucy A. Curry at the Hall of the House of Representatives, Carson City on Tuesday Nov. 18th 1862 at 7 o'clock P.m. With high Esteem I Remain &c.
A. Curry

The following resolution was offered by Mr Sleeb. Resolved. That the Judiciary of the Council be and are hereby Empowered to Select and appoint a Clerk for said Committee and to receive the same Compensation as other Clerks of Said Council – Which was adopted.

Mr Van Bokelen offered the following resolution.

Resolved. That the President be authorized and is hereby requested to appoint a Committee of three to be Styled, Committee on Claims to whom all Such Subjects Shall be Referred

The resolution was adopted

The President appointed as such Committee Messrs Pray. Hannah and Sturtevant.

Introduction of Bills.

Mr Lewis introduced a bill Entitled "An "Act to provide for the publication of the laws of Nevada Territory in some one of the daily papers of the Territory which was read once and referred to Committee on printing

Mr Roop introduced a Bill entitled "An Act to grant W V Kingsberry and his Associates the right to Construct a Toll Road in Lake County which was read a first time and referred to the delegation from Lake and Humboldt Counties.

Mr Sturtevant introduced a Bill Entitled "An act Entitled an act Granting Certain parties the right to Construct a Toll Road from Pah Vine Springs to a Certain point on the Humboldt River and Construct Bridges or Ferries across Truckee and Humboldt ~~xxxxxx~~ Rivers which was read a first time and referred to the delegation from Washoe and Humboldt Counties.

Mr Hall on leave introduced a Bill entitled "An Act to Audit the Claim of Samuel Willgenstein" . Rules were Suspended. Bill read a first time and referred to Committee on Claims.

Mr Van Bokelen on leave introduced a Bill Entitled "An Act to Audit the Claim of Leonard W. Ferris and to provide for the payment

of the same. Rules Suspended. Bill read a first time and referred to the Committee on Claims.

Reception of Reports.

The reports of the Territorial Auditor and Territorial Treasurer were received and referred to the Committee on Revenue

Committee on Revenue reported progress and recommended that the reports of the Territorial Auditor and Treasurer be printed with the Governors Message. Adopted. and reports referred to Joint Committee on printing

Mr Ford at his own request was Excused from further serving on the Revenue Committee and the President appointed Mr Bray in his place.

Mr Roop from Standing Committee on Contingent Expenses offered the following Report.

Mr President

The Committee on Contingent Expenses offer the following report on Milage due the Members

Mr	Ford	30 Miles	4.50
"	Felker	60 "	9.00
"	Hannah	35 "	5.25
"	Hull	00 "	00
"	Luther	50 "	7.50
"	Lewis	00 "	00
"	Bray	40 "	6.00
"	President	280 "	42.00
"	Roop	280 "	42.00
"	Slade	30 "	4.50
"	Sturdevant	26 "	3.90
"	Thomson.	400 "	60.00
"	Van Bokelen	32 "	4.80

All of which is most Respectfully Submitted

J M Roop Chairman

Report adopted.

Mr Ford from the Committee on printing appointed to act Conjointly with a like Committee from the House of Representatives to which was Recommitted their former report and the proposition of Mess^rs Goodwin and McCarthy Offer the following

To the Honorable the Council of Nevada Territory

Your Committee printing report that they have carefully Considered the Report re-Committed to them and find no Cause for Changing the Same. The fact that No precedent Exists for a Territory assuming any portion or all of her Governmental Expenses Establishes only the fact that a similar necessity never before Existed. Heretofore the unembarrassed Condition of the Federal Government Sees Enabled her to relieve the Territories just Struggling into Existence from a large portion of the burdens of Taxation incidental to the Organization of Government. At this time a Change of Circumstances Suggests a Change of policy. And it is, to say the least becoming in us, in this the hour of our Country's trial to tender the assistance dictated by patriotism. The Suggestion that Citizens of the Territory could legally enjoin the payment of the proposed bill-titles is in our opinion without foundation. Else the power Conferred and the Reservations Made in Section 6th of the Organic Act are singularly insufficient.

To Establish the right of the Legislative Assembly to legislate on any particular Subject argumentatively would doubtless prove too great a task for your Committee do not admit of argument. Entertaining these views we can do no less than reiterate the Recommendations made in our first report. To Wit. that the Territory shall approve the Contract and payment of the incidental printing. Contracting with that Office for its Execution which Shall give Satisfactory for its prompt and work-man.

like performance at the lowest rates. payable in Territorial Scrip at par. reserving to the Commitee authorized to make the Contract. the right to reject all bids

Ford Chairman
Lewis
Geller

Report received and made special order for 12 o'clock tomorrow.

Notice of Bills

Mr Steele gave notice that he would at some future day ask leave to introduce a bill Entitled "An Act Supplemental and Amendatory of an act Entitled "An Act to Exempt the Homestead and other property from forced Sale in Certain cases" Approved Nov. 13th 1861. Mr Sturtevant gave notice that he would soon ask leave to introduce a bill Entitled "An Act in relation to the pre. emption of mineral rights.

Mr Lewis gave notice that at an Early day he would ask leave to introduce a bill Entitled "An Act to regulate the Finances of the Territory and Establish the Same on a Cash basis.

Mr Hull gave notice that on tomorrow he will ask leave to introduce a bill for "An Act to allow S B Farwell and others to Construct a Toll road leading from Carson City Ormsby County Through Eagle Canon to the California boundary line near Lake Bigler

On motion of Mr Van Bokelen the Council at 12. M. took a recess till 2 o'clock P.M.

In Council 2.05 P.M.

Roll Called

Present. Messrs Ford. Geller. Hall. Hannah. Lewis. Luther, President. Rowe. Steele. Sturtevant. Thomson and Van Bokelen, 12

Absent Mr Pray 1

Mr Ford from Standing

Committee on printing to which was referred "An act to provide for the publication of the laws of Nevada Territory, in some one of the daily papers of this Territory reported that they had had the same under Consideration. beg leave to report the same back to the Council and recommend its passage. Report received. Bill read a second time. Considered Engrossed. and read a third time and passed by the following Vote. Ayes. Mess" Mr Feller. Hall. Lewis. Luther. Roop. Steele. Sturtevant. Thomson Van Bokelen and Mr President 10. Absent Mess Ford and Pray, 2. Excused Mr Hannah 1.

Mr Feller from the Committee on Roads and Highways to which was Referred the Bill Entitled "An to Grant to Wm V. Kingsbury and his associates the right to Construct a Toll Road in Lake County reported that they had had the same under Consideration, had come to a favorable Conclusion thereon and respectfully recommend its passage. The Report was received. the bill read a Second time and Referred to the Committee of the whole

On Motion of Mr Hall the Council at 2.45 oclock P.M. adjourned.

Seventh day.

Seventh days proceedings
Territory of Nevada
Council Chamber
Nov. 19th 1862

Council met pursuant to adjournment
President in the Chair
Roll Called Quorum present-
Present. Mess" Ford. Feller. Hall. Hannah, Lewis. Luther. Mr President. Roop. Steele. Sturtevant. Thomson and Van Bokelen. 12.
Absent Mr Pray 1
Prayer by the Chaplain.
Journal of Yesterday Read and approved

On Motion of Mr Van Bokelen Mr Bray was granted leave of absence for one day.

Mr Roop on leave introduced a bill Entitled "An act to dissolve the bonds of matrimony between James Mc Knight and Cornelia A Mc Knight together with petition of Cornelia A Mc Knight.

The petition was received and placed on file.

Mr Lewis moved to lay the bill on the Table. Lost.

On Motion of Mr Roop the rules were suspended the bill read a first time, read a Second time and referred to the Judiciary Committee.

Mr Luther offered the following Resolution

Be it Resolved by the Governor and Legislative Assembly of the Territory of Nevada as follows, That whereas the Government Authorities have in their power seen fit to discontinue the Office of Surveyor General of the Territory of Nevada- and whereas the suspension of said Office has for its tendency greatly to hinder the Settlement of the Country and the advancement of its agricultural interests by extending the time of Sale of the public domain, We therefore Respectfully request His Excellency the President of the United States to reinstate said Office in said Territory, that the agricultural portions may be Surveyed and sold and reduced to a Condition that the Territory may realize a Revenue therefrom. Which was referred to the Committee on Federal Relations

Mr Hannah gave Notice that he would introduce a bill Entitled "An act supplementary and amendatory to an act Relative to the Common School System of Nevada Territory

Mr Steele gave Notice that he would introduce a bill Entitled "An act Supplemental and amendatory of "Gilla Law" Chapter first of the Civil Practice act- Relating to provisional Remedies in Civil action, Arrest and Bail

Mr. Geller gave notice that he would introduce a bill entitled "An Act Lake and his associates the Exclusive right to make and maintain a toll road - also a toll Bridge across Truckee river — from Junction House in Washoe County to the boundary line of Washoe and Lake Counties.

Mr Shill introduced a bill Entitled "An Act to regulate proceedings in Civil Cases in Courts of Justice of the Territory of Nevada. Approved Nov. 29th 1861. Bill was read a first time and referred to the Committee on Judiciary and Sixty printed Copies ordered

Communication from the House

Territory of Nevada
House of Representatives
Carson City Nov. 19th 1862

To the Hon. the Council

I herewith transmit for the concurrence of your Hon. Body the House bill entitled an Act to legalize Certain acts and orders of the County Commissioners of Ormsby County passed by the House on the 18th Inst.

Respectfully
Wm. M. Gillespie
Clerk

Also the following

Territory of Nevada
House of Representatives
Carson City Nov. 18th 1862

To the Hon the Council

I return herewith the Council "Substitute" Bill Entitled "an Act amendatory of and Supplemental to an Act to provide for the Opening and Collecting the County and Territorial Revenue" Approved Nov. 29th 1861" for the House Bill Entitled "an Act to extend the time for collecting the taxes in the several Counties of Nevada Territory"

The Assembly House having passed the first Printed (Substitute) Bill with the following amendments Viz: by Striking out the figure "19" in the title and inserting the figure "29"

Also Amend by adding after the last word "Auditor" in the 1st Section the following. "Provided that before this Extension of Time shall take effect the Tax Collectors shall file in the Office of the Clerks of their Respective Counties the written Consent of the Sureties on their Official bonds. to the said Extension or in default thereof shall be required to Execute an additional bond executed and approved in accordance with the law regulating the Official Bonds of such officers and for the faithful discharge of their duties under the act. in a Sum not to exceed the sum of twenty Thousand dollars. and provided also that the operation and effect of this act shall be confined to the time. Specified herein"

Also Amend by adding

Section 2. "This act Shall take effect from and after its passage"

All of which is Respectfully Submitted for your Concurrence"

Respectfully
Wm M Gillespie
Clerk

Read and placed on file.

Mr Sturdevant from Washoe and Humboldt delegation to which was referred the bill Entitled "An act Entitled An act granting to certain parties, the right to Construct a toll road from Pea Vine Springs to a certain point on the Humboldt River and Construct Bridges or ferrie, across Truckee and Humboldt River: Reported, they had had the same under Consideration and had instructed their Chairman to report the same back to the Council with amendments. Report received and bill refered to Standing Committee on Roads and Highways

Mr Pray from Committee on Claims offered the following report

Mr President.

Your Committee to whom was referred "an act Entitled "an act to audit the Claims of Leonard W Ferris and to provide for the payment of the same" would beg leave to report the same back to the Council with amendments with their recommendation that the bill do pass. Report received and ordered on file

The bill Entitled "An act amendatory of and Supplemental to an act to provide for the assessing and collecting the County and Territorial Revenue Approved Nov. 29th 1861 On Motion was taken from file. House amendments Concured in by the following Vote. Ayes. Messrs Ford. Geller. Hull. Hannah. Lewis. Luther. Mr President. Roop. Steele. Sturtevant. Thomson. and Van Bokelen. 12 Absent on Leave Mr Pray.

On Motion of Mr Van Bokelen the rules were suspended and the Enrolling Committee allowed to report Council Bill No3 Entitled "An Act amendatory of and Supplemental to an Act Entitled An Act to provide for the Assessing and Collecting the County and Territorial Revenue Approved November 29th 1861

Committee Reported the Bill correctly Enrolled.

At his own request leave of absence was granted Mr Sturtevant for one day.

House Bill Entitled "An Act to legalize certain acts and orders of the County Commissioners of Ormsby County. was taken up. Rules suspended. Bill read 1st first. Second and third time and passed by the following Vote. Ayes. Messrs. Ford. Geller. Hull. Hannah. Lewis. Luther. Mr President. Roop. Steele. Thomson. Van Bokelen. 11 Noes. None. Absent on leave Messrs Sturtevant and Pray. 2.

Mr Van Bokelen moved that the rules be suspended in order that the Council bill Entitled "An Act to grant Wm N Kingsbery and his Associates the right to Construct a toll road in Lake

County might be taken from the G. O. and placed on its final passage, agreed to.

Mr Roop Moved to amend by Striking out the word "may" in the 48th line of Section 1 and insert in lieu thereof the word "Shall" agreed to.

The bill was then read a first. Second and third time and passed by the following Vote. Ayes. Messrs Ford. Geller. Hall. Hardwick. Lewis. Luther. The President. Roop. Stiles. Thomson. and Van Bokelen 11. Noes None. Absent Messrs Ray and Sturtevant 2.

On Motion of Mr Hardwick it was Ordered that the Committee on Printing be instructed to procure printed copies of Standing Committees of the Council and the Order of business.

At 12 M. Council took up report of Committee on Printing. Council refused to adopt the report by the following Vote Ayes 4. Noes 6.

Motion made to discharge Committee. Lost.

On Motion of Mr Van Bokelen at 1.30 o'clock Council took a recess till 3. P M

In Council 3 P M.

President in the Chair. Roll Called. Quorum present

On leave Mr Hall introduced a bill entitled "An act to authorize Alfred Helm. his Associates and Assigns to Construct a toll Road. Read a first time and referred to delegation from Douglas and Ormsby County.

On leave Mr Ford introduced a bill Entitled "An act to Create the Dayton Gas Company which was read a first time and referred to Committee on Corporations.

Mr Hall offered the following Resolution Resolved. That the Sargeant-at-Arms be and is hereby empowered to Employ a fireman for the Council adopted.

Mr Lewis on leave introduced a a bill Entitled "An Act Explanatory of the Twenty Second section of Act Entitled An Act to provide for the Assessing and Collecting County and Territorial Revenue. Bill read a first time and referred

to Committee on Revenue.

Mr Hall introduced the following Resolution. Resolved. That the Committee on printing be authorized to have the bills of the Council ordered to be printed, to be printed in some Newspaper instead of being printed on bill paper, and that they inform the Secretary of the Territory of their action. Adopted.

On Motion of Mr Hall at 3,30 P m The Council adjourned

Eighth day

Eighth day.

Territory of Nevada
Council Chamber
Nov 20th 1862

Council met pursuant to adjournment President in the Chair. Quorum present Roll Called and the following Members answered to their names. Messrs Ford. Feller. Hall. Lewis. Luther. Mr President. Roop. Stile. Thomson and Van Bokkelen. Absent Messrs Hannah Pray and Nuckolls.

Prayer by the Chaplain

Journal of Yesterday Read and Approved

Mr Stile gave notice that he will at some future day ask leave to introduce a bill Entitled "An Act amendatory and Supplemental to an Act to Exempt the Homestead and other property from Forced Sale in Certain Cases" Approved Nov 13th 1861

Mr Pugh gave notice that at some Subsequent day he would introduce a bill Authorizing L Wilbourn and R. Lyons to Construct and Maintain a toll bridge on East Walker River at or Near Dickinson's Rack in Esmeralda County

Reports

The Standing Committee on Revenue Made and Submitted the following Report.

Your Committee on Revenue to whom was referred A Bill Entitled An Act Explanatory of the 22d Section of an Act Entitled An Act

to provide for the assessing and collecting County and Territorial Revenue, would respectfully report that they have had the same under consideration and report the bill back with a recommendation that the same pass. D. L. Van Bokelen Chm.
Thomas Hounsell.

On motion of Mr Hull the report was not received, and referred back to the Committee

The Standing Committee on the Judiciary Made and Submitted the following report—

Mr President—

The Judiciary Committee to whom was referred a petition and accompanying Bill for an Act to disolve the bonds of Matrimony between James McKnight and Cornelia McKnight-have given the same due Examination, and Respectfully Recommend the indefinite postponement of the Bill.

The Organic Act defining the respective powers of the Legislative and Judicial departments of the Government, have very plainly prescribed their Several Jurisdictions. It Specially declares that the Courts of the Territory therein provided for, Should have Such jurisdiction as may be limited by law. The Legislature in limiting the jurisdiction of the District and probate Courts of the Territory, gave original jurisdiction to the probate Court-over Actions for divorce. This Court is thereby made the Special Tribunal for the adjudication of Subjects of this Nature, and the Statutes giving jurisdiction affords full and adequate Relief in the premises.

Your Committee would take occasion to Suggest that in the absence of Thorough conviction of the want of jurisdiction in the Legislative branch of the Government to grant divorce. that the Judiciary is the only proper Tribunal to adjudicate upon Such questions

Recognizing the Sacred institution of Matrimony and the Vital importance and influance it Exerts upon Sound morals, good Government, and

individual character. every act of Legislation should tend to fortify and exalt rather than to weaken and degrade the institution in public opinion.

In no Civilized country on Earth is female character so much venerated and respected. Nor is the influence of women more beneficially exercised in ameliorating domestic relations than in the United States. This result of which we may justly be so proud as a people is the effect of the profound veneration everywhere acknowledged for the Marriage Stute.

It is a cause of great self gratulation with one of the original thirteen States of the Union. that since the declaration of Independence. No single instance of divorce has occured on her Territory.

Probably no fact in our history affords a more signal proof of our National Claim to progress in genuine Civilization.

Your Committee would express the hope that Nevada, by denying the first application. and referring to the proper Judicial Tribunal. would assert the popular Sentiment of her people in favor of Encouraging a Spirit of Veneration and respect for an Institution so fraught with interest to us as individuals as a Nation

Hall. Chairman
Van Bokelen
Steele

The report was Received and adopted Ayes 7. Noes 4. Absent Mess^rs Fay and Sturlevant, 2

The Committee on roads and Highways Made and Submitted the following report.

Mr President.

Your Committee on Roads and Highways to whom was referred Council bill Entitled an Act granting certain parties the right to Construct a toll Road and Bridges, have taken the same under Consideration and beg leave to report the same back with Amendments and recommend its passage

Geller. Chairman
Thomson.

The Report was received and adopted.

On Motion the Secretary of the Council was ordered to correct the Title to Council bill No. 9 which was done

On Motion Council bill No. 9. Entitled "An Act authorizing A. W. Nightingale & Ayres and A Benway to construct and maintain a toll Road, Bridges and Ferries" was taken up and read a Second and third time and passed by the following Vote. Ayes Mess" Bord. Geller. Hall, Hannah. Lewis. Luther. Mr President. Roop. Steele. Thomson and Van Bokelen 11 Noes. None. Absent Mess" Pray and Stuvesant.

On Motion Council bill No 7. Entitled "An Act to audit the Claim of Leonard. W. Ferris and to provide for the payment of the Same" was taken up. Rules Suspended, Considered Engrossed. Read a Second and third time and passed by the following Vote. Ayes. Mess" Bord. Geller. Hall, Hannah. Lewis. Luther. Mr President. Roop. Steele. Thomson. Van Bokelen. 11. Noes. Noes.

Absent Mess" Pray and Stuvesant.

On Motion Mr Pray was granted leave of absence for one day.

Mr Steele gave notice that on tomorrow he would make a motion to reconsider the Vote taken on the passage of Council bill No 7.

The following Communication was received from the Governor

Executive Department
Carson City November 19th 1862

To the Council of the
Territory of Nevada

I have this day approved An Act "Amendatory and Supplemental to An Act Entitled" An Act to provide for the assessing and collecting of the County and Territorial Revenue. Approved November 29th 1861.

James W Nye
Governor of the Territory
of Nevada.

The following Message was received from his Excellcy The Governor.

Executive Department
Carson City November 20th 1862

To the Hon. The Council
of the Territory of Nevada

In accordance with the provisions of an Act entitled An Act creating offices in the Territory of Nevada I have the honor to Submit the following names of persons appointed by me to the several offices designated below and Respectfully ask your Confirmation

John H Kinkead Territorial Treasurer. Appointed February 1st 1862

Perry G. Childs Territorial Auditor appointed at the Same time

Wm G. Blakely Territorial Superintendent of Public Instruction appointed Feby 24th 1862

Abram Curry Warden of Territorial Prison appointed January 4th 1862

District Officers

Dwight Curson District Attorney for the first judicial District appointed Decr 18th 1861

Marcus D. Larrowe District Attorney for the second judicial District. appointed Same date.

Franklin H Kennedy District Atty. for the Third Judicial District November 18th 1862 in the place of E. B. Zabriskie resigned

County Officers

Leonard. W. Ferris Probate Judge in and for Story County Appointed December 9th 1861

Edward C Dixon Probate Judge for Ormsby County appointed Decr 14th 1861

Whitney Motevare Probate Judge for Douglas County appointed Decr 12th 1861

Wm Hayden Probate Judge for Lyon County appointed December 11th 1861

Charles L Porter Probate Judge for Washoe County, appointed July 20th 1861

Augustus W Oliver Probate Judge for the County of Humboldt Appointed Decr 10th 1861

All of which is respectfully Submitted

James W Nye
Governor of the Territory of Nevada.

Mr Hall Submitted the following Resolution

Resolved, That on tomorrow at 11 oclock A M the Council will resolve itself into Secret Sesion for the purpose of acting the Governors Message of this date in relation to the Confirmation by the Council of Certain Officers therein Mentioned, Adopted.

The Standing Committee on Revenue Made the following report.

Your Committee on Revenue to whom was referred "An Act Entitled an Act Explanatory of the 22d Section of an Act Entitled an Act to provide for the assesing and collecting County and Territorial Revenue would report that they have had the Same under Consideration and refer the Bill back with amendments and recomend its passage

D L Van Bokkelen Chairman
Thomas Hannah

Report received and bill as amended read a second time.

Mr Hall moved that the bill be made the Special order of busines at 2. Oclock. Instant. Carried.

On motion of Mr Roop the Council took a recess until 1.30 O'Clock P.M.

In Council

1.30 O'Clock P.M.

The Committee on Corporations Made the following report, which was received and adopted.

Mr President

Your Committee on Corporations, to whom was referred the bill to incorporate the Dayton Gas Company, have taken the Same under Consideration and would beg leave to report the Same back without amendments and Recomend its passage

J. Roop Chairman
Thomson
Van Bokkelen

Mr Hannah on leave introduced an Act Entitled "An Act to amend an Act Entitled "An Act to incorporate the Virginia City and Washoe Railroad Company" passed at the first Session of the Legislative Assembly of the Territory of Nevada which was read a first time read a second time and referred to the Committee on Corporations

Mr Lewis offered the following Resolution Resolved. That from and after this date No petition asking a Franchise at the hands of this Body shall be Entitled to, or receive any attention unless accompanied by satisfactory Evidence that the same is approved of and recommended by the Citizens of the locality to be affected by the operation of the grant beneficially or otherwise

Dated at Council Chamber

November 20th 1862.

The Resolution was Lost.

At 2. O'Clock P.M. the Council proceeded to Consider Council bill No. 15 Entitled "An Act Explanatory of the twenty Second Section of An Act Entitled "An Act to provide for the Assessing and Collecting County and Territorial Revenue

The bill was read a third time and passed by the following Vote. Ayes. Messr Geller. Hall. Hannah. Lewis. Luther. Mr President. Roop. Thomson. and Van Bokelen. 9. Noes. Messr Ford and Steele. 2

Absent Messrs Pray and Shirlevant 2

The Select Committee on joint Rules for the action of both Houses Submitted the following report.

Mr President

Your Committee on joint Rules of the two Houses would respectfully report that they have had the same under consideration and have come to the conclusion to recommend that the joint rules of the two Houses of the last Legislative Assembly with the following amendments be Adopted.

Substitute for Rule No 4 as follows

When a bill has passed either House it shall be transmitted to the other House properly Engrossed and under the

Signature of the Secretary or Clerk of Each House respectively. Otherwise The Sums Shall not be received
Strike out Rule 15.

Respectfully Submitted
W. H. Mitchell
W D Brumfield
Committee on the part of the House.
I L Van Bokelen
I M Luther.
Committee on the part of Council

The report was received, adopted, and the Committee discharged.

On Motion of Mr Stell at 3. O'Clock, The Council adjourned.

Ninth day

Ninth day proceedings

Territory of Nevada
Council Chamber
Carson City Nov 21st 1862

Council met pursuant to adjournment
President in the Chair
Roll called and the following Members answered to their Names.

Messrs Bond. Geller. Lewis. Luther. Pray. Mr President. Roop. Steele. Thomson. Hall. Hasbrouck. Van Bokelen. Absent Mr Sturdevant.

Prayer by the Chaplain

Journal of Yesterday Read and Approved.

On Motion of Mr Geller Leave of Absence was granted to Mr Sturdevant for two days to include Yesterday

Mr Bond introduced a bill Entitled "An Act to Establish a Toll Road from the Town of Dayton Lyon County Nevada Territory to Desert Creek in Esmeralda County Nevada Territory. which was read a first time; Read a second time and referred to the Committee on Roads and Highways.

On leave Mr Bond introduced a bill Entitled "An Act to incorporate the O'Connor Turnpike Company" which was read a first and second time and referred to the Committee on Roads and Highways.

Mr Geller introduced a bill Entitled

"An Act To authorize Myron Lake to Construct a toll road from the junction House in Washoe County to the boundary line between Washoe and Lake Counties in Nevada Territory which was read a first and second time and referred to the Committee on Roads and Highways

The following Communication was received from the House of Representatives.

Territory of Nevada
House of Representatives
Carson City Nov 20th 1862

To the Honorable
The Council

I transmit herewith House bill Entitled "An Act abolishing Seals of parties to written instruments" for the Concurrence of your Honorable Body the House having passed the Same this day

Respectfully
Wm M Gillespie
Clerk.

The House bill Entitled "An Act abolishing Seals of Parties to written instruments" was read a first time Read a Second time and on Motion referred to the Committee on Judiciary

Mr Neely moved that his Motion to reconsider the vote on the passage of "An Act Entitled "An Act to audit the claim of Leonard W Ferris and to provide for the payment of the Same" be indefinitely postponed Carried

Mr Ford called up Council bill No 14 "An Act to create the Dayton Gas Company" which was read a third time and put upon its passage Bill passed by the following Vote. Mess Ford. Feller. Hall. Hannah. Luther. Pray. Mr President. Roop. Stell. Thomson. and Van Bokkelen 11. Noes Mr Lewis 1. Absent Mr Sturdevant.

On Motion of Mr Harrison the petition of Cornelia A McKnight praying to be divorced from the bonds of Matrimony Existing between her and James McKnight was withdrawn from the files of the Council.

At 11 O'Clock A.M. The Council went into Executive Sefsion for the purpose of acting upon the Nominations of certain persons made by the Governor for District and County Offices

In Council.

Mr Hall introduced the following Resolution

Resolved.

That in Executive Sefsion the Council have Confirmed the following Appointments made by the Executive Jr Wit.

Deighton Curson	District Attorney	1st	Jud.	Dist.
M L Larrowe	"	"	2	"	"
F A Kennedy	"	"	3	"	"
L W Ferris	Probate Judge of		Story	County
E C Dixon	"	"	Ormsby	"
Chauncy Robinson	"	"	Douglas	"
Wm Hayden	"	"	Lyon	"
C D Potter	"	"	Washoe	"
A W Oliver	"	"	Humboldt	"

Mr Hale offered a Concurrent Resolution Recommending his Excellency J. W. Nye. Governor of Nevada Territory the Expediency of perfecting the Organization of Lake County.

To which Resolution Mr Hall introduced the following Substitute.

Resolved by the Council the House of Representatives Concurring. That the Governor of this Territory be and he is hereby requested to organize the Counties of Esmeralda and Lake by the Appointment of Necessary officers pursuant to Statute.

The Substitute was adopted instead of the original Resolution and referred to the Committee on Counties and County boundries.

On leave Mr Hannah introduced a bill Entitled "An Act to Audit the Claim of John W Grier and provide for the payment of the same" which was read a first time and referred to the Committee on Claims.

On Motion of Mr Hannah at 2. O'Clock P.M. the Council adjourned.

Tenth day.

Territory of Nevada
Council Chamber
Carson City Nov^{ber} 22 1862

The Council met pursuant to adjournment.
Roll called. and the following Members responded to their names.

Mess^{rs} Ford. Feller. Hall. Hannah, Lewis.
Luther. Pray. Vice President. Rose. Stitt and Thomson.
Absent, on leave Mess^{rs} Sturtevant and Van Bokelen.
Quorum present.
Prayer by the Chaplain
Journal of Yesterday read and approved

The following Communication was Received from the House of Representatives,

Territory of Nevada
House of Representatives
Carson City Nov^{ber} 21st 1862

To the Hon^{ble} the Council

I have to advise your Honorable Body the House has adopted the Report of the joint Committee on joint Rule, as Transmitted to the House

I transmit herewith the following Enrolled House Bills the Same having passed the House on the 21st Inst

"An Act concerning the Writ of Habeas Corpus"
"A Memorial to Congress relative to Expenses of the Indian war and depredations committed by Indians"

Respectfully
Wm M Gillespie
Clerk

Mr Feller asked and obtained leave of absence for Mr Sturtevant. for one day.

On Motion of Mr Pray leave of absence was granted Mr Van Bokelen for one day

On motion House bill Entitled "Memorial to Congress relative to Expenses of the Indian War and depredations committed by Indians" was taken up read a first and Second time and Referred to the

Committee on Federal Relations.

On Motion House Bill Entitled "An Act Concerning The Writ of Habeas-Corpus" was taken up, read a first and second time and referred to the Committee on The Judiciary.

Mr Lewis offered the following Resolution

Resolved,

That in the opinion of this House the mines of this Territory are and should be considered the property of their Federal claimants Subject like other property to taxation, and for all purposes of Revenue Assessable at their Cash Market Value.

On Motion of Mr Steele the Resolution was laid on the Table

Mr Pugh on leave introduced a bill Entitled "An Act authorizing Robert Lyon and L Wellborn to Construct and Maintain a Toll Bridge on East Walker River near Dixons Ranch" Bill read a first and second time and referred to the Committee on Roads and Highways

Mr Pugh introduced a bill entitled "An Act Exacting Capitation Tax on Mongolians and others" Bill read a first and Second time and referred to the Committee on Revenue, The usual number ordered printed,

Mr Geller from the Standing Committee on Roads and Highways to which was Referred the bill Entitled "An Act to Establish a Toll Road from Dayton, Lyon County to Desert Creek Esmeralda County. Report-that they have had the same under consideration, have come to a favorable Conclusion thereon; and have directed their Chairman to Report the same to the Council without Amendment and Recommend its passage.

Mr Geller from the Standing Committee on Roads and Highways made the following Report

Mr President

Your Committee on Roads and Highways to whom was referred Council Bill Entitled "An Act to Authorize Lyon to Construct a Toll Road have taken the same under Consideration and beg leave to report the same back with Amendments and Recommend its passage

Geller, Chairman

Mr Ford from Standing Committee on Counties and County boundaries Made the following report. which was received and adopted,

Mr President

The Committee on Counties, and County boundaries to whom was Referred the Council Concurrent Resolution in Relation to the immediate Organization of Esmeralda and Lake Counties have Carefully Examined the subject and are of the opinion that it is important to the best interests of Nevada that both of the said Counties Should as Soon as practicable become organized, There being no difficulty in the way of the present organization of Lake, We would recommend the adoption of the Resolution So far as it Effects that County and ask further time to Consider Esmeralda. Your Committee are Convinced that Nevada is the proprietor and justly entitled to jurisdiction over the Territory Claimed in these Counties by the State of California.

We believe that Nothing will be gained by delay or Negotiation with that State.

The immediate assumtion and prompt Exercise of our authority will insure an immediate Settlement of all questions in dispute. It will give to the Citizens of the disputed Territory confidence in the acquisition of property, it will prevent Conflicting titles to property arising. And will avoid inevitable and Numerous Controversies at law, It will Encourage Emegration, Attract Capital and Enterprise and will give to Nevada the benefit of Taxation over two Millions of property to which She is Entitled and of which She is unjustly deprived. All of which is Respectfully Submitted

Ford Chairman
Rooks
Geller

The following Report from the Standing Committee on Claims was received and adopted...

Your Committee having had under consideration An Act Entitled "An Act to Audit The Claim of John W Grier and provide for the payment of the Same would beg

Leave to report the same back to the Council with a recommendation that it pass

A W Pray Chairman
Thomas Hannah

Mr Hull offered Concurrent Resolution, as follows,

Resolved by the Council, The House of Representatives Concurring that the Governor of this Territory be and is hereby Requested to organize the County of Lake by the Appointment of Officers pursuant to Statute. Resolution passed by the following Vote

Ayes. Messrs Ford, Geller, Hull, Hannah, Luther, Pray, Mr President, Koop, Steele, and Thomson 10

Excused Mr Lewis 1

Absent on leave Messrs Sturtevant and Van Bokkelen 2.

The Committee on Revenue made as a Report as follows.

Mr President

Your Committee to whom was referred An Act Enacting a Capitation Tax on Inebriates And Others having had the same under Consideration and deeming it of such a Character as to Require Careful Consideration would beg leave to Report the Same back to the Council with a Recommendation that the usual Number of Copies of the act be ordered printed in order that Members generally may have an opportunity of Examining at Leisure and Hearing Such Suggestion as may prove beneficial

A W Pray
Thos Hannah

Report received and adopted.

On Motion "at 12 O'Clock M" the Council adjourned until 12 O'Clock Monday next.

Eleventh day

Territory of Nevada
Council Chamber
Carson City Nov 24 1862

Council Met pursuant to adjournment
Roll called. The following named members Responded to their Names! Mess^rs Ford. Geller. Hall. Hannah. Lewis. Pray. Mr President. Roop Stile. Sturtevant and Thurston 11
Absent Mess^rs Luther and Van Bokelen 2.
Prayer by the Chaplain
Journal of Saturday Read and Approved
The following Message was Received from the House of Representatives

Territory of Nevada.
House of Representatives
Carson City Nov. 24th 1862

To the Hon. the Council

I transmit herewith for the Concurrence of your Honorable Body the following Entitled House Bills the same having Passed the House on the 22nd Inst. Viz

" A joint Resolution relative to the office of Surveyor General in the Territory of Nevada"
Also "An act to provide for Marks instead of Signatures"

Respectfully
Wm M Gillespie
Clerk

Mr Hall introduced a Memorial to Congress praying amendments to the Organic Act of Nevada Territory which was Read a first time. The usual number of Copies ordered printed and made Special order of Business for Friday the 28th Inst. at 11. O'Clock A. M.

Mr Pugh introduced the following Concurrent Resolution

Concurrent Resolution
Organizing Esmeralda County
Resolved by the Council the House of Representatives Concurring that the Governor of the Territory

be and he is hereby requested to organize the County of Esmeralda as Soon as practicable by the Appointment of County Officers pursuant to Statute.

Resolution received and passed by the following Vote Ayes. Messrs Ford. Geller. Hall. Hannah. Lewis. Pray. Mr President. Roop. Stark. Sturtevant & Van Bokkelen

Mr Luther introduced the following Resolution which was read and referred to a Select Committee of three. The President appointed as Such Committee Messrs Hall. Hannah and Luther..

Be it Resolved by the Governor and the Legislative Assembly of the Territory of Nevada

As follows.

The people of the Territory of Nevada by their Vote in the last Election have Expressed their Confidence in the ability and integrity of the Honorable Gordon N Mott one of the Associate Justices of the United States Court for Said Territory by Electing him to represent their interests in the National Halls of Congress and Whereas the Rapid and growing interests of Said Territory absolutely demand immediate action of Congress providing Appropriations for the Erection of proper public Buildings for the use of the Territory and for the Erection of a branch of the United States Mint and as inasmuch as the Said Gordon N Mott has recently been Honored with the confidence of the President of the united States and his Cabinet by being appointed one of our Judicial Officers and in View of the Changes made by the late Election of Several of the States of their Representatives in Congress for 1863 at the time our representative, Elect will be Entitled to his seat. We are therefore of the opinion that if the Said G. N Mott will proceed to the City of Washington to be present at the Coming Session of Congress and use his influance in conjunction with that of His Excellency Governor Nye whom Every effort both public and private has been a manifestation of a deep heart-felt interest in the onward progress and prosperity of our Territory. we are therefore

of the opinion that if His Excellency Governor Nye and His Honor G. N. Mott will proceed as aforesaid to the City of Washington and use their joint Efforts to Effect the passage of the aforesaid Bills of appropriation that the Same Could be Effected during the Coming Session of Congress

Be it therefore Resolved by the Council and House of Representatives of the Territory of Nevada

That His Excellency Governor Nye and his Honor Gordon N Mott be solicited by this Resolution to proceed to the City of Washington the Coming Session of Congress and use their influance to Effect the purposes aforesaid if not incompatible with their pecuniary or personal interests

Signed. J. M. Luther.

Mr. Hall gave notice that at some future day he would introduce a bill for an Act. Redistricting the Territory of Nevada into Judicial Districts and for the appointment of Judges therefor

House Bill Entitled "Joint Resolution Relative to the office of Surveyor General in the Territory of Nevada was taken up. Read a first time and refered to the Committee on Federal Relations

Mr Hall gave notice that he would at some future day ask leave to introduce a Bill Entitled "An Act to amend an act Entitled "An Act defining the Judicial Districts. fixing the terms of the Supreme and District Courts of the Territory. and providing for the transfer and trial of actions" Approved November 29th 1861

Mr Roop gave notice that he would at Some future day ask leave to introduce a Bill Entitled "An Act to divorce all ladies Coming into this Territory from the bonds of Matrimony Entered into by the Mormon Laws. and held as Spiritual wives under the Mormon Church

On Motion of Mr Ford Council Bill No 17 Entitled "An Act to Establish a Toll Road from Dayton. Lyon County to Desert Creek Esmeralda

County in Nevada Territory" was taken up. Read a third time and passed by the following Vote.
Ayes. Messrs. Ford. Geller. Hall. Hannah. Luther. Pray. Mr President. Roop. Steele. Sturtevant and Thomson 11. Noes. Messrs. Lewis and Van Bokelen 2.

On Motion of Mr Roop Council Bill No. 19 Entitled "An Act to authorize Ingron Lake to construct a Toll Road from the junction House in Washoe County to the boundary line between Washoe and Lake Counties, in Nevada Territory was taken up, read a third time and passed by the following Vote. Ayes. Messrs Ford. Geller. Hall. Hannah. Lewis. Luther. Pray. Mr President. Roop. Steele. Sturtevant. Thomson. and Van Bokelen. 12. Noes. Mr Lewis 1

The Standing Committee on Claims made the following report.

Mr President.

Your committee to whom was referred an Act Entitled "An Act to Audit the the Claim of Samuel Willgenstein. would beg leave to report, having carefully considered the same and recommend its passage as amended

A W Pray Chairman
Thos Hannah

Report was received and adopted

An Act. Entitled "An Act to Audit the Claim of John W Grier and provide for the payment of the Same. was read a second time and placed on file.

Mr Roop from Standing Committee on Corporations made Report as follows.

Mr President.

Your Committee on incorporations to which was referred Council Bill to amend an act Entitled An Act to incorporate the Virginia City and Washoe Rail Road Company passed at the first Sesion of Legislative Assembly of Nevada Territory. have had the Same under Consideration and would report the Same back and recommend its passage

J Roop Chairman

The Bill as reported from the Committee was read a Third Time and passed by the following Vote
Ayes. Mr[illegible] Geller. Hall. Hannah. Lewis. Luther. Rice. Mc President. Roop. Sleeth. Sturtevant. Thomson. Chas Van Bokelen. 12. Excused Mr Ford 1.

Mr Luther gave notice that he would at some future day ask leave to introduce a Bill Entitled "An Act Granting the right to Henry Vansickle to construct a Toll Road from or near the foot of Kingsberry and Mc Donalds grade to the most available point above Tide water intersecting the Esmeralda Roads on the East fork of Carson River

The following Communication was Received from the House of Representatives

Territory of Nevada
House of Representatives
Carson City Nov. 24th 1862

To the Hon, the Council

I transmit herewith the following entitled House Bills the same having the House this day. Viz. "An Act to authorize Bolivar Roberts his heirs and assigns to Keep and maintain a Toll Bridge across the Carson River at Dayton in Lyon County Nevada Territory

Also

"An Act to provide for Submitting the question of the removal of the County Seat of Humboldt County to a Vote of the Qualified Electors Thereof"

I return herewith the Council Bill Entitled "An Act explanatory of the twenty second Section of an Act Entitled An Act to provide for the Assessing, Collecting County and Territorial Revenue" the House having rejected the same as inexpedient.

I also return herewith Council Bill Entitled "An Act to grant to Wm V Kingsberry and his Associates the right to Construct a Toll Road in Lake County" The House having passed the same with the following Amendments

a Concurrence in which by your Body is requested Viz. In the 28th line of the first Section Strike out the word "twenty" and insert in lieu thereof the word "ten"

Also. add new Section No 5 after the 4th ~~Section~~ in the following words,

"Section 5 This act is hereby declared a public act and may be amended by any Subsequent Legislative Assembly in any manner"

Also. Change Section 5 as passed by the Council to Section 6.

All of which is Respectfully Submitted

Wm McGillespie

Clerk -

House bill entitled "An Act to provide for submitting the removal of the county seat of Humboldt county to a vote of the qualified electors thereof, was taken up, read a first time and referred to the Humboldt delegation.

The Council concurred in amendments to Council bill entitled "An Act to authorize William V. Kingsbery and his associates the right to construct a toll road in Lake County" made by the House, by the following vote:

Ayes Messrs. Ford Gelen, Hall Hancock Lewis Luther Pray Mr. President Roop Slade Sturtevant, Thompson and Van Voorhees 13.

The select committee to whom was referred resolution inviting Governor Nye and Judge Mott, during the ensuing Session of Congress made and submitted the following report, which was received and adopted

Mr. President:- The select committee to whom was referred a concurrent resolution requesting his Excellency James W. Nye and Hon. Gordon N. Mott to proceed at once to Washington and

use their influence to procure the passage by Congress of bill of appropriation for public buildings in this Territory respectfully submit the following report:

Nevada is just entering upon her career in the race of nationalities — her progress has been hitherto without parrallel, her resources are unexampled, To encourage her progress and foster her prosperity lies at the foundation of all legislative duty.

It is an ascertained and undisputable fact that the increasing and complicated character of our public and private interests, renders it practicably difficult if not impossible for the officers who now administer the Territorial Government, adequately to discharge all the duties incumbent upon them. Concerning the qualification of the Hon. persons named in the resolution your committee would suggest that the number of district judges now belonging to the Territory are in the estimation of many competent Judges, thought to be too few to discharge the whole business of our courts. For one of them to leave his district before a successor is appointed, would be to inflict an unpardonable wrong upon the people of that district. Especially may this be said of the first district over which Judge Hall presides. Its population and wealth of its citizens, and the number and magnitude in character of the causes arising in the courts of that district, that gentleman is made the arbiter to a great extent to determine the most important rights of persons and property. Honored by popular elevation

to a high political office, your committee conceive that it is nevertheless his duty and the public interests of his Judicial District require that he should perform his duties as Judge until the last possible moment for him to assume other Official functions.

Accepting the flattering allusions to Chief Magistrate as true, the same reasons exist in favor of his retention among us "at his post of duty". By virtue of the organic act the Executive is empowered to grant pardons for offenses against Territorial laws, to grant reprieves for offenses against the laws of the United States, is made Superintendent of Indian Affairs and is ex-officio Commander in-chief of the Militia.

In these "peeping times of peace", with rebels upon the right of us, and the Piutes upon the left of us, who can tell how soon may be "let slip the dogs of war".

In view therefore of the above considerations and many others too numerous to mention your committee recommend the indefinite postponement of the resolution.

Hall Chairman
Thos. Hannah
J. M. Luther

The resolution was postponed by the following vote:

Ayes Messrs. Ford Geller Hall Hannah, Lewis Luther Pray, Mr. President Boop Stull Sturtevant Thompson and Van Bokkelen 13.

The President appointed Messrs Van Bokkelen, Lewis and Hannah to as a committee of conference to act with a like committee from the House upon Council bill No. 15.

The Standing Committee on

Federal Relations made the following report:

To the Hon. the Council
Mr. President

Your committee to whom was referred the Concurrent resolution to establish the office of Surveyor General in this Territory beg leave to submit the following report:

After a careful examination of the questions we find that the Land District of Nevada Territory yet remains in fact - that only the office of Surveyor General has been abolished and by an Act of the Congress of the United States, approved May 31st 1862 the business of the office of Surveyor General of this Nevada district, is merged and placed under the supervision of the Surveyor General of the California Land District - that there is also a provision in the same act of Congress by which authority is conferred upon the President, to at any time which he may deem expedient and proper to reestablish said office in this Territory. And your committee would further say relative to the importance of having such an office established here we have no doubt.

The Land Office established here will be comparatively worthless without the office of Surveyor General. The United States Surveyor General for the State of California cannot and will not in the estimation of your committee attend to the wants of this Territory as well as would an officer located directly amongst us. And when we consider the immense wealth of this Territory

its large extent of mineral and agricultural lands now occupied only in a small proportion by citizens and that that rights of property which they hold depends solely and entirely upon the precarious title of possession which engenders a constant and continued source of conflict and litigation we see what we think to be a great want of the people of this Territory left unsupplied by the General Government, why the General Government should depart from its ancient rule of opening the public domain to the use of its citizens as soon as the onward march of enterprise and the requirements of business interests and the wants of civilization demand, your committee cannot see, and we are loath to believe that our General Government would operate in any such manner, did they correctly understand the wants of the people of this Territory. That there is a large quantity of the public lands in this Territory, which, if surveyed and placed in the market would be purchased occupied and improved no one will doubt. That there are many fertile valleys in this Territory which are capable of being reduced to a state of cultivation thereby adding to and increasing the wealth of this people all admit, and it seems to your committee to be in consonance with the spirit of our citizens and those that may hereafter come amongst us, that the growth and prosperity of this Territory should in any manner be retarded. And your committee believe that the reestablishment of the office of Surveyor General would greatly benefit and increase the prosperity of this Territory. Your committee would

Therefore respectfully recommend the passage of the House concurrent Memorial without amendment.

Respectfully Submitted
Stuke Chairman
Geller.

Mr. Lewis from same committee made the following minority report:

To the Hon the Council of Nevada:

After a careful examination of the Joint Resolution sent to this body from the House, relative to the office of Surveyor General in the Territory of Nevada, I am constrained to report in opposition to the views of the majority of your committee on Federal Relations, that in my opinion based on the best information that I can obtain. The uniting of California and Nevada in one Land district, was an economic measure called for by the necessities of the Federal Government, and in no degree detrimental to the interests of Nevada, Had this Territory instead of receiving a seperate organization been attached to California as was advocated by many of our citizens, good and true men, we certainly never would have suspected, either that distance or the multiplicity of his labors would prevent that Officer from rendering all the services required at his hands. In the East it not unfrequently happens that two States are united in one Land District under one Surveyor General; and I have yet to learn that this arrangement has failed to give entire satisfaction when ten times the business is required that ever will be required of the Surveyor General of Califor-

nia and Nevada. In view of these facts and many others that will suggest themselves to the minds of your Honorable body I beg leave to report, that it is inexpedient to adopt the Joint Resolution submitted to your Committee on Federal Relations.

Lewis.

The majority report was adopted by the following vote:

Ayes Messrs. Frost, Geller, Hall, Luther, Pray, Mr. President, Roop, Steele, and Thompson 9.

Noes Messrs. Hannah, Sturtevant Lewis and Van Bokkelen.

The Standing committee on Federal Relations submitted the following report which was received and adopted.

To the Hon. the Council.

Mr. President

Your committee to whom was refered, the Concurrent Resolution to reestablish the Office of Surveyor General in this Territory offered by the Hon. Mr. Luther from Douglass county beg leave to submit the following report:

That inasmuch as the House have passed a Memorial which relates to the same subject and covers the objects of the Council Resolution above refered to, your committee would therefore respectfully recommend the indefinite postponement of action on this resolution.

Respectfully submitted

Steele chairman

Geller

Lewis

On motion House memorial entitled "Joint Resolution relative to the Office

of Surveyor General in the Territory of Nevada". was taken up read a first and second time and referred to a select committee of three consisting of Messrs. Hall Hannah and Ford.

On motion at 3. 15 O'clock P.M. the Council adjourned.

Twelfth day.

Territory of Nevada
Council Chamber
Carson City Nov. 25th 1862.

Council met pursuant to adjournment.

Roll called and the following members responded to their names:

Messrs. Ford Geller Hall, Hannah Lewis Luther, Pray, Wm. President, Roop Stark Sturtevant Thompson and Van Bokkelen 13.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following communication was received from the House of Representatives:

Territory of Nevada
House of Representatives
Carson Nov. 24th 1862.

To the Hon the Council

The House agrees to the request of your Honorable body for the appointment of a committee of conference on the part of the House concerning the Council bill rejected by the House entitled "An Act ~~explanatory~~ of Section 22 of" An act entitled an act to provide for the assessing and collecting of county and Territorial revenue, and have appointed, Messrs Bunnfield, Mallard and J. B. Winters ~~as~~ such committee on its part.

Mr. Hall on leave presented a claim in favor of Wellington Stewart for services as District Attorney. Received and referred to the Standing Committee on Claims.

Mr. Thompson from Humboldt delegation made the following report

Mr. President

Your committee to whom was referred House bill entitled "An Act for submitting the question of the removal of the county seat of Humboldt County to a vote of the qualified electors thereof" have had the same under consideration and recommend its passage.

M. L. Thompson.

House bill entitled "An Act for submitting the question of the removal of the county seat of Humboldt County to a vote of the qualified electors thereof was taken up read a third time and passed by the following vote.

Ayes Messrs. Ford, Green, Hall Hannah, Lewis, Luther, Pray, Mr. President, Roop, Stuck, Stuntevant, Thompson and Van Bokkelen 12.

Noes none. Absent Mr. Pray

House bill entitled "An Act to authorize Bolivar Roberts his heirs and assigns to keep and maintain a toll bridge across the Carson river at Dayton in Lyon County Nevada Territory" was taken up read a first and second time and referred to the Lyon county delegation.

Council bill No. 21, entitled "An Act to audit the claim of John W. Green and provide for the payment of the same" was taken up read a third time and passed by the following vote.

Ayes Messrs. Ford, Geller, Hall Hannah, Lewis Luther Mr. President, Roop, Steele Stuntevant Thompson and Van Bokkelen 12.

Noes none. Absent Mr. Pray.

Council bill No 8. entitled "An Act to credit the claim of Samuel Millgeam." was taken up read a third time and passed by the following vote!

Ayes Messrs Geller Hall Hannah Lewis Luther, Mr. President. Roop, Steele Thompson and Van Bokkelen 10.

Noes none. Absent Messrs Ford Pray and Stuntevant.

Mr. Hannah gave notice that at some future day he would introduce a joint resolution instructing our Senators Jewitt to procure of the benefits of an act passed at the last session of Congress entitled "An Act donating public lands, to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts"

Mr. Ford from the Select committee to which was referred the bill entitled "An Act to authorize Dalvin Roberts, his heirs and assigns to keep and maintain a toll bridge across the Truckee River at Dayton in Lyon county, Nevada Territory" report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their chairman to report the same to the Council with amendments, and do recommend its passage.

The bill as amended was then taken up read a third time and passed by the following vote.

Ayes Messrs Ford, Geller, Hall

Hannah, Lewis, Sutton, Pray, Vice President, Rose, Steele, Stutsman, Thompson and Van Bokkelen 13.

Mr Hannah on leave introduced a bill entitled "An Act authorizing Rufus Watson and Bentley Lambert to construct and maintain a toll road", which was read a first time and referred to the delegation from Cromby and Dongloss Counties.

The Standing Committee on Judiciary Incidental Relations made the following report:

Mr. President

Your committee to whom was referred House bill entitled "An Act Memorial to Congress relative to Sections of the Indian Trust and Reservations" committed by Indiana respectfully state that they have had the same under consideration and report it back without amendments and recommend its passage.

State Stutsman
Rose,
Lewis.

On motion of Mr Van Bokkelen the Memorial was indefinitely postponed by the following vote

Ayes Messrs Hall, Hannah, Lewis, Sutton, Pray, Vice President, Steele, Stutsman, Thompson and Van Bokkelen 9.

Nays Messrs Cotton, Rose and State 3.

Absent Mr. Ford.

Mr. Hannah on leave introduced a bill entitled "An Act Creating an act Supplemental to the first session of the Legislative Assembly of Dakota Territory entitled an act to provide for taking the census and Apportioning the Representation of the Legislative As-

Assembly of the Territory of Nevada", which was read a first and second time and referred to the committee on the Judiciary.

On motion the Council at 11.41 O'clock A. M. took a recess until 2 O'clock P. M. Instant.

In Council

2 O'clock P. M.

Roll called. Quorum present.

Mr. Hall from Select Committee the following report which was received and adopted:

Mr. President

The committee to whom was referred Council bill for "An Act to authorize Alfred Helm, his associates and assigns to construct a toll road", have duly considered the same, report it back and recommend its passage.

Hall Chairman
Linsten
Lewis

The bill was then read as entitled in the report a second and third time considered Engrossed and passed by the following vote.

Ayes Messrs. Frost, Gillen, Hall Lewis Luther, Mr. President, Roop Steele, Sturtevant, Thompson and Van Bokkelen 11

Absent Messrs Hannah & Pray 2

Mr Luther from Standing committee on Enrolling made the following report.

Mr. President

Your committee on Enrolling beg leave to report bill No. 6. "An Act granting to Wm Kingsbury and associates the

right to construct a toll road" as correctly enrolled.

J. M. Luther Chairman

Mr. Ford introduced a bill entitled "An Act to grant the right of making a toll road to Richard Jeffreys and James Banning through Kope Valley in Douglas County" which was read a first time and referred to the delegation from Ormsby and Douglas counties.

Mr. Stuke gave notice that he would at some future day, ask leave to introduce a bill entitled "An Act providing for the permanent location of the Capital of this Territory"

On leave Mr. Pugh introduced a bill entitled "An Act to amend an act for the improvement of Carson river" approved November 28th 1861 Bill read a first and second and third time and referred to the Standing Committee on Internal Improvements.

At 2.30 P. M. the Council adjourned.

Territory of Nevada
Council Chamber
Nov 26th 1862

Council met pursuant to adjournment
President in the chair
Roll called and the following members
responded to their names Messrs Ford. Gelbert
Hall. Lewis. Luther. Gray. Norcross. Roop. Stuke
Sturtevant. Thompson. 11. absent Mr. Bowman
Van Bokkelen 2 Quorum present
Prayer by the Chaplain
The Journal of yesterday read and approved
Mr. Ford was granted leave of absence
for one day. The following communication
was received from the House of Representatives

Territory of Nevada
House of Representatives
Carson City Nov 26th 1862

To the Hon the Council

I return herewith Council Bill Entitled "An act to provide for the publication of the laws of Nevada Territory in some one of the daily papers of the Territory" The House having passed the same on the 24th inst with the following amendments viz

Strike out the words "Joint Committee on Printing from the Council and House of Representatives" in the 2nd & 3d lines of Section 2 of the Engrossed bill & insert in lieu thereof the words "Secretary of the Territory"

I also return herewith the Council Bill Entitled "an act authorizing A.W. Nightingale J.C Aspes and A Benway to Establish and maintain a toll road bridges & ferries" the House having passed the same on the 24th inst with the following amendments viz In the 1st Section in the fifth line between the words "Territory" and "also" Insert the words "For the period of Nineteen Years" also strike out Sec 7 of Engrossed bill and insert in lieu thereof the following

"Sec 7 It shall be lawful for the Governor and Legislative assembly of this Territory at any future session of such Legislative assembly to regulate alter or change the rates of toll herein provided for"

also add Section as follows

Sec 8 That the said A.W. Nightingale J.C Aspes and A Benway shall commence the construction of said road on or before the first day of May A.D 1863 and shall execute the same to completion within a period of two years from the commencement thereof at a rate per month in labor or money in proportion to the entire probable cost of the road" and should the said parties fail in complying with the provisions of

this section then all the privileges contained in this franchise, are hereby declared to be forfeited

Sec 9 After the Expiration of three years from the completion of said road and bridge the counties in which the same are situated or the Territory may have the right to purchase said road & bridge at an appraised value to be determined by five appraisers. two to be selected by the owners of the said road & bridge two by the County Commissioners aforesaid and one by the four appraisers herein before provided for and such Valuation Established by the said appraisers shall be estimated to be the value of the road.

I have to inform your Hon Body that the House have concurred in the Council amendments to the House Bill, Entitled "an act to authorize Belmer Roberts his heirs and assigns to keep and maintain a toll bridge across the Carson River at Dayton etc

all of which is respectfully submitted

Wm. Gillespie

Clerk

The Council concurred in the House amendments to Council bill Entitled ... An act authorizing A. W. Nightingale & J. C Aspen & A Penway to Establish And maintain a toll road & bridge & ferries " by the following Vote, Ayes Messrs Gelle Hale & Hummel Griffin. Ray. Vice President. Roop Stubbs Stuntevant Thompson. & Van Bokkelen 11 Noes Mr Lewis. 1 Absent Mr Ford 1

The Council refused to concur in House amendments to Council bill Entitled "an act to provide for the publication of the laws of Nevada Territory in some one of the daily papers of the Territory. and upon Motion of Mr Hummel a committee of Conference was appointed to act with a like Committee from the House to which the bill was referred

Vice President appointed as such committee on the part of the Council Messrs Lewis. Hummel & Stubbs

Mr. Roop introduced a bill entitled "An Act to amend an act, entitled an act relating to marriages and divorces" approved November 28th 1861, which was read a first time and referred to the committee on the Judiciary.

Council bill entitled "An Act a capitation tax on Mongolians and others" was on motion recommitted to the standing committee on Revenue.

The standing committee on the Judiciary, through their chairman Mr Hall, made the following report which was received and adopted:

Mr. President,

The Judiciary committee to whom was referred council bill for an act to amend ~~an act~~ entitled an act relating to marriages and divorces" approved Nov. 28th 1861. instruct me to report the same back and recommend its indefinite postponement, for the following reasons:

"The bill under consideration simply reenacts the existing law and proposes an amendment with reference to a class of cases that are already fully comprehended in the statute.

Hall Chairman

The bill was then indefinitely postponed by the following vote:

Ayes Messrs. Hall Hannah Lewis Luther Pray, Steele Stinebaugh & Van Bokkelen 8.

Noes Messrs. Geller, Hugh Roop and Thompson 4

Absent Mr. Ford.

The standing committee on Rev-

same made the following report;
which was received and adopted.

Mr. President

Your committee to whom was referred an act entitled "An Act a capitation tax on Mongolians and others," having had the same under consideration beg leave to submit the following report:

1st According to the stipulations of the treaty at present existing between China and the United States, such an act would be null and void and could not be enforced in the Territory from the fact that the Constitution of the United States provides "That all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land and the Judges in every state shall be bound thereby anything in the Constitution or laws of any state to the contrary notwithstanding.

Article 28 of the Sein Sein Treaty provides "That the extortion of illegal fees shall be expressly prohibited" and your committee deem it their judgment that the passage of this act would and properly should be entitled to a place under the prohibition of this section of the treaty.

2nd Your committee would state also that in the State of California the Supreme Court of that State have in a late decision in reference to a similar act declared it illegal and in conflict with the Constitution of the United States

For the above enumerated reasons as also for others which your committee deem it inexpedient to mention

we would beg leave to report the act back to the Council with our recommendation that it be indefinitely postponed.

Van Bokkelen Chairman
A. W. Pray
Thomas Hannah

It was moved that the Bill be indefinitely postponed. motion lost by the following Vote
Ayes Mefrs Hall Hannah Lewis Pray. Stultz & Van Bokkelen 6. Noes Ford. Gellen. Luther Rush. Loop Stuteunt & Thompson 7

The Bill was then passed by the following Vote. Ayes Mefrs Ford Gellen Luther Rush Loop Stuteunt & Thompson 7. Noes Mefrs Hall. Hannah Lewis Pray Stultz & Van Bokkelen 6

The following communications were rec'd from the House of Representatives

Territory of Nevada
House of Representatives
Carson Nov 25. 1862

To the Hon the Council

I transmit herewith the following Entitled House Bills for your concurrence the same having passed this day viz

"an act concerning judgements & Decrees in the Probate Court of Storey County"
"an act in relation to lawful fences"
"an act providing for the appointment of Elisors"

An act amendatory of "an act Entitled an act creating Boards of County Commissioners and defining their duties" passed at the first Session of the Legislative assembly of the Territory of Nevada" the House have refused to recede from their amendments to the Council bill Entitled an act to provide for the publication of the laws of Nevada Territory in some daily paper of the Territory", and have had no further action therein

Respectfully
W. M. Gillespie Clerk

Thirteenth day.

Senate of Nevada
House of Representatives
Carson Nov 26 1862

To the Hon the Council

The House has this day passed without amendment and returns herewith the Council Concurrent Resolutions as follows

"To organize Lake County

"To organize Esmeralda County

Respectfully
Wm M Gillespie
Clerk

House bill Entitled an act concerning judgments of Divorce in the probate Court of Storey County was taken up and read a first and second time and referred to the Storey County delegation.

That delegation made favorable report & recommended the passage of the bill

The bill was then taken up read a third time and passed by the following vote Ayes Messrs Ford Heller. Hall Hannah Lewis Luther. Ray Nor President Roop Stuntevant Thompson and Van Bokkelen 12

Noes Mr Steele 1

House bill Entitled "an act providing for the appointment of Elisors was taken up read a first and second time and referred to the Committee on the Judiciary"

"House bill Entitled "an act in relation to lawful fences was taken up read a first and second time and referred to the Committee on agriculture

At 1-20 o'clock PM Council adjourned

Fourteenth day.

Senate of Nevada
Council Chamber
Carson City Nov 27 1862

Council met pursuant to adjournment President in the Chair. Roll called. Quorum Present Prayer by the Chaplain

Journal of Yesterday Read and Approved
Mr Dan. offered the following Resolution
Resolved That it becomes a people to govern
with the blessings of free Institutions and
National prosperity to acknowledge gratitude
and supplication to the Divine Arbiter of
the destinies of Nations. and that we now
adjourn pursuant to the proclamation
of our Chief Magistrate and dedicate this
day in thanksfulness for the prosperity
heretofore Enjoyed by us as a people
and in prayer for the restoration of peace
and Union and continued prosperity among
the states of the Republic
On Motion at 11-34 o clock a m the
Council adjourned

Fifteenth day

Territory of Nevada
Council Chamber.
Carson City Nov. 28th 1862.

Council met pursuant to adjournment
President in the chair.
Roll called and the following mem-
bers responded to their names viz
Messrs. Ford, Geller, Luther, Mr.
President Roop Stuke and Thomp-
son 8.
Absent Messrs Hall Hannah Lew-
is 3 Lieutenant and Van Bokkelen 3.
Prayer by the Chaplain.
Journal of yesterday read and ap-
proved.
Mr. Luther from the Standing Com-
mittee on Roads and Highways to
which was referred the bill entitled
"An Act authorizing Robert Lyon and
L Wilbourn to construct and maintain
a bridge on East Walker River report
that they have had the same under
consideration, have come to a fa-
vorable conclusion thereon and
have directed their chairman to

report the same to the Council without amendments and recommend its passage.

The bill was taken up read a third time and passed by the following vote:

Ayes Messrs. Ford, Geller, Luther Pray, Mr. President. Roop Steele, Stuntevant and Thompson 9.

Absent Messrs. Hall Hannah and Van Bokkelen 3.

Excused. Mr. Lewis 1.

Mr. Stuntevant from standing committee on Internal Improvements made the following report:

Mr. President:

Your committee on Internal Improvements to which was referred bill entitled "An Act amendatory to an act for the improvement of Lessons have had the same under consideration and recommend the following amendment.

Provided, That nothing in this act shall be so construed as to work detrimental to the interests of mining and agriculture, and with this amendment recommend its passage.

J. H. Stuntevant Chairman

Geller

L. M. Luther.

The bill was then taken up read a third time and passed by the following vote

Ayes Messrs Ford, Geller, Luther Pray Mr. President Roop Steele Stuntevant and Mr. Thompson 9.

Absent Messrs. Hall Hannah and Van Bokkelen 3

Excused Mr. Lewis. 1.

Mr. Steele gives notice that he will at an early day ask. leave to introduce a bill entitled "An Act amendatory

and supplemental to an act defining the Judicial districts fixing the terms of the Supreme and District courts of the Territory, locating the county seats of the several counties of the Territory and providing for the transfer and trial of actions" approved Nov. 29th 1861.

The select committee to which was referred an act bill in relation to County Commissioners made the following report, which was received and adopted.

To the Hon. the Council of Nevada Territory:

Mr. President and gentlemen of the Council:

Your committee to whom was referred House bill entitled "An Act Amendatory of an act creating Boards of County Commissioners beg leave to report that they have been unable to discover one argument in favor of the proposed change and believe it would tend to demoralize and divide the Board. We recommend the indefinite postponement of the same.

Lewis Chairman
Ford
Geller

Mr. Luther from standing committee on Enrolled bills made the following report:

Mr. President:

Your committee to whom was referred on Enrolling beg leave to return Council bill "An Act granting the right to A. M. Nightingale and associates to construct a toll road and maintain a toll road as correctly Enrolled. J. M. Luther
Chairman

On motion of Mr. Pray leave of absence was granted Mr. VanBokkelen for one day

On motion of Mr. Stuke leave of absence was granted Mr. Hannah for one day.

On motion of Mr. Pugh the Council at 11 O'clock A. M. adjourned

Territory of Nevada
Council Chamber
Carson City Nov 29 1862

The Council met pursuant to adjournment President in the Chair. Roll called and the following members responded to their names Messrs Ford Geller Hall. Hannah Lewis. Pray Mr President. Roop Stuke Stuntevant Thompson and VanBokkelen 12 absent Mr Luther 1

Prayer by the Chaplain

Journal of yesterday read and approved

Mr Hall from the Standing Committee on the Judiciary Made the following report which was received and adopted

Mr President - The Judiciary Committee have Examined House Bill No 11 for "an act providing for the appointment of Elisors" and instruct me to report the same to the Council and Recommend the passage of the bill

Hall Chairman

The bill as entitled in the report was taken up Read a third time and passed by the following Vote Ayes Messrs Ford. Geller. Hall. Lewis. Pray Roop. Stuke. Stuntevant. Thompson. and Van Bokkelen 10 Absent Messrs Hannah. Luther & Pugh 3

Mr Hannah gave notice that at some future day he would introduce a bill entitled "an act granting the right to construct a Toll Road from Empire city to Reno'd on Clan Creek

Mr Van Bokkelen on leave introduced a

bill, Entitled "an act providing for the Erection of County Building in Storey County" which was read a first and second time. the usual number of copies ordered printed and referred to the Storey County delegation

The Standing Committee on Agriculture made the following report

Mr President Your Committee on Agriculture to which was referred House bill No 15. Entitled "an act in Relation to lawful fences, have had the same under consideration and have come to a favorable conclusion thereon and report the same back to the Council and recommend its passage

J. H. Stuntevant Chm
S. Geller

The report was received and adopted and the bill made the special order of business for Tuesday next at 11 oclock a m

On Motion the Council at 11-20 oclock a. m adjourned to meet at 12 oclock M on Monday next

Seventeenth day

Territory of Nevada
Council Chamber
Carson City 2 December 1862

Council met pursuant to adjournment President in the Chair. Roll called and the following Members responded to their Names

Messrs Ford Geller Wade Hannah Lewis Luther. Ray Mr President. Roop Steele Stuntevant Thompson & Van Bokkelen 13. Quorum Present

Prayer by the Chaplain

Journal of Saturday read and approved

Mr Wade introduced bill Entitled "an act to amend an act Entitled an act defining the Judicial districts fixing the times of the Supreme and district courts. locating the county Seats of the several counties and providing for the transfer and trials of actions" Approved Nov 29. 1861 which was read a first time and referred to the Committee on the Judiciary

On leave Mr Stuntevant introduced a bill

Entitled "An act to supply the town of Washoe City with water and to provide against fire" Which was read a first and second time and referred to the Committee on Internal Improvements

The following Communication was received from the House of Representatives

Territory of Nevada
House of Representatives
Carson Dec 1 1862

To the Honorable Council

I transmit herewith for the Concurrence of your Honorable Body the following Entitled House bill the same having passed on the 29th inst viz

"An act concerning Wills"

Respectfully
Wm M Gillespie
Clerk

House bill Entitled "An act concerning Wills was taken up Read a first and second time and referred to the Committee on the Judiciary

Mr Stuke gave notice that he would at some future day introduce a bill Entitled "an act to authorize N. R. Armstrong and J M Roberts with their associates to construct and maintain a Toll Road

Council bill Entitled "Concurrent Resolution" Amendatory of the Organic act of Nevada Territory being the special order of business was taken up and each section read & considered. Section 1 The preamble and Section 1 passed by the following Vote Ayes Messrs Gelle. Hale Hannah Lewis Mc President. Stuke Stuteman & Thompson 8 Noes Messrs Ford. Luther Ray. Roop and Van Bokkelen 5. Section 4 was amended as follows. Strike out in line 4 "Nine members which may be increased to" Insert after the word "thirteen" members " In line 6 fill blank with word "Two" " In lines 6 and 7 strike out the words " thirteen members which may be increased to" Insert after the words

"twenty six" the word "members" Add after the 15th line the following "The members of the Council and the House of Representatives shall be increased as the Legislature assembly may hereafter determine". Insert in the 11th line after the words ratio of "White" In the 12th line strike out the "Indians Excepted" after the 12th line add — "& a Councilman and"

The resolution as amended passed by the following Vote Ayes Messrs Ford Gellen Hale Hannah Luthy Nor President Roop Steele. Stuntevant Thompson and Van Bokkelen 11

Nos Messrs Lewis and Gray 2

Mr Hale gave notice that on tomorrow he would move to reconsider the vote taken on the passage of section four as amended

Mr Van Bokkelen moved that the further consideration of the bill be dispensed with until tomorrow at 12 oclock M carryd

On motion at 3-25 oclock PM the Council adjourned

Eighteenth Ses.

Territory of Nevada
Council Chamber
Carson City Dec 2 1862

Council met pursuant to adjournment
Roll called and the following members responded to their names
Ayes Messrs Ford Gellen. Hale Hannah Lewis Luther Gray Nor President Roop Steele Stuntevant Thompson & VanBokkelen 13

Prayer by the Chaplain

Journal of yesterday read and approved

Mr Steele introduces a bill entitled "an act authorizing N. K. Armstrong and J M Roberts and their associates to construct and maintain a toll road" Bill read a first & second time and referred to the delegation from Storey Lyon and Ormsby Counties

A bill for an act entitled an act in relation to lawful fence" being the special order of

business for 11 o'clock A M was taken up consideration and agreed to standing Committee on Agriculture which committee made the following report

Mr President

Your Committee on Agriculture to which was refered House Bill Entitled "an Act in relation to lawful fences Submit the following report - We recommend to Strike out Sections 1. 2. 3. 4. 5. 6

Amend Sec 7 as follows -

"Sec 1 Any fence which by competent Evidence shall be proved to be strong substantial and well suited to the protection of inclosures for agricultural purposes or shall be sufficient to show the boundaries of claims to timber lands shall be a lawful fence in ~~this~~ in all the counties of this Territory"

Amend Sec 8. as follows "Section 2"

Amend Sec 9 as follows "Section 3"

Amend Sec 10 as follows "Section 4"

Amend Sec 11 as follows "Section 5"

Amend Sec 12 as follows "Section 6 Nothing in this act shall be so construed as to apply to lands lying or being in Lake Esmerald or Humboldt Counties" Amend add Section 7 as follows

"Sec 7 Nothing in this act shall be so construed as to compel owners of lands to fence timber lands" add Section 8 as follows

Section 8 This act shall take Effect on the first day of July a d 1863

I H Sluteant Chm
I M Luther

The report was received and adopted. the bill considered Engrossed Read a third time, and passed by the following Vote Ayes Mess Ford Hale Hannah Lewis Luther Pray Mr President Loop Sluteant Thompson VanBokkelen 10 Noes Mess Ford and Stule 2 absent Mr Gelbe 1

On Motion Council Reconsidered the Vote taken yesterday upon the passage of Sec 4 in Council

bill Entitled "Concurrent Resolution amendatory of the organic act of Nevada Territory"
On Motion of Mr Hall the words
"In a Councilman" in the 13th line were stricken out
Mr Hall moved that the section as amended be adopted. Motion last by the following Vote
Ayes Messrs Hall Hannah Gray President Steele Van Bokkelen & Doer Messrs Ford Lewis. Luther. Koop. Stuntevant & Thompson 6
Absent Mr Keller 1
Mr Hall gave notice that on tomorrow he would introduce a bill for an act to allow F. A. Tittle to supply the town of Carson City with illuminating Gas
Mr Hannah moved that the special order of business be dispensed with until tomorrow at 12 o'clock M Carried
Mr Hannah introduced a bill entitled an act granting to Charles Rivoltzky and his associates a right to construct a Toll Road which was read a first and second time and referred to the delegation from Ormsby County
Mr Stuntevant introduced a bill Entitled "an act to incorporate the Truckee River Lumber Company and to construct a Toll Road" which was read a first and second time and referred to the standing Committee on corporations
On Motion at 130 PM Council adjourned

Nineteenth day

Territory of Nevada
Council Chamber
Dec 3d 1862

Council met pursuant to adjournment President in the chair Roll called and the following members responded to their names Ayes Messrs Ford Keller Hall Hannah Lewis Luther Gray Mr President Koop Steele Stuntevant Thompson and Van Bokkelen 13

Prayer by the Chaplain. Journal of yesterday Read and approved

Mr Thompson gave notice that he would at some future day introduce a bill Entitled "An act to incorporate the Buena Vista tramelling Company in the County of Humboldt"

The Standing Committee on Internal Improvement Made the following Report which was received and adopted

Mr President

Your Committee on Internal Improvements to which was referred Council Bill Entitled "an act to supply the town of Washoe City with water and to protect the town against fire" beg leave to report that they have had the same under consideration and have come to a favorable conclusion thereon and instruct their Chairman to report the bill back to council without amendments and recommend its passage

D H Sturtevant Chm

The following communication was received from the House of Representatives

Territory of Nevada
Council Chamber
Dec 2nd 1862

To the Hon the Council

I transmit herewith for the concurrence of your Hon Body the following Entitled House bills. the same having passed the House this day

" An act to provide for the Election of Probate Judges and Prosecuting attorneys and defining their duties"

" An act changing the name of Lake County to Roop County

" An act to prevent the Escape of Prisoners from County Jails

" An act to prevent the trespassing of animals upon private property

" An act for the relief of persons

Mr Jenson on civil proces"
"An act prescribing the manner of applying for pardons"
"An act supplementary to an act concerning conveyances"
"An act to authorize the formation of limited partnerships"
"An act to provide for the formation of Corporations for certain purposes
All of which is respectfully submitted
Wm M Gillespie
Clerk

House bill Entitled "an act to provide for the Election of Probate Judges and Prosecuting attorneys and defining their duties was taken up read a first and second time
Mr Van Bokkelen moved to strike out the Enacting clause, Motion lost by the following Vote Ayes Mesrs Ford Geller Lewis Luther Pray & VanBokkelen 6 Noes Messrs Noes Messrs Hall Hannah, Mr President Steele Koop. Stuntevant and Thompson 7. The bill was then referred to Judiciary Committee
Mr Lewis gave notice that tomorrow he would introduce a bill "authorizing M L McDonald and his associates to establish and maintain a toll road",
House bill Entitled "an act changing the name of Lake County to Koop County was taken up rules suspended and read a first second & third time, and passed by the following Vote Ayes Messrs Ford Geller Hall Hannah Luther Pray, Mr President Steele Stuntevant, Thompson and VanBokkelen 11 Noes Messrs Lewis 1 absent Mr Koop.
Mr Hannah gave notice that on tomorrow he would move a reconsideration of the vote by which the bill was passed
Mr Hall on leave introduced a bill Entitled an act to provide for the collection and interment of the remains of the

citizens Killed in the Piute war of 1860 which was read a first time and referred to a select committee of three consisting Messrs Hall Steele and Ford.

Mr Hannah gave notice that he would at some future day Introduce a bill Entitled an act changing the name of Douglass County to that of Lyon County

Upon bill Entitled "an act to prevent the Escape of Prisoners from County Jails". was taken up and read a first and second times Mr Hannah moved to amend as follows add in first section after words "District attorney" - and consented to by the constable. Sheriff or warden having such prisoner in charge adopted - The bill as amended was read a third time and passed by the following vote all the members voted in the affirmative

On motion the words "from County Jails" were stricken from the title of the act as passed

House bill Entitled "an act to prevent the trespassing of animals upon private property" was taken up read a first and second time and referred to the committee on agriculture

House bill Entitled "an act for the relief of persons imprisoned on civil process" was taken up read a first and second time and referred to the Committee on the Judiciary

at 12 o'clock M. the special order of business being the consideration of Council Memorial Entitled "Concurrent resolution amendatory of the Organic act of Nevada Territory" the Council proceeded to consider the same

On motion of Mr Van Bokkelen the Memorial was indefinitely postponed by the following vote

Ayes Messrs Ford Hannah Lewis Leitch. Gray. Koop Thompson and VanBokkelen 8

Noes Messrs Geller. Nay President. Steele & Stutsman 4

Excused Mr Hall 1

The following Message was received from the Governor

Executive Department
Territory of Nevada
Carson City Dec 2nd 1862

To the Council of Nevada Territory

I have this day approved bills and Concurrent Resolutions of the following titles to wit "An act to grant Wm V Kniskern and his associates the right to construct a toll road in Lake County"

An act to authorize A W Nightingill, J. C. Ayres and A. Benway to establish and maintain a Toll Road, Bridges and Ferries"

"Concurrent Resolution to organize Esmeralda County"

"Concurrent Resolution to organize Lake County"

Jas W Nye
Governor of the Territory of Nevada

Mr. Lewis offered the following Resolution which on motion was laid on the table

Resolved. That the Council through their proper officers are competent to order such printing as may be deemed necessary for the convenience of the members and the acceleration of business and that the assumption of the right to order printing by any party not sanctioned by a vote of this body merits the reprobation due to unmitigated impudence

House bills Entitled "An act prescribing the manner of applying for pardons" "an act to authorize the formation of limited partnership" "An act supplementary to an act concerning conveyances" were taken up read a first and second time and referred to the Committee on the Judiciary

House bill Entitled an act to provide for the formation of corporations for certain purposes was taken up read a first and second time and referred to the Committee on Corporations

On Motion at 2 o'clock PM the Council adjourned

Twentieth day.

Territory of Nevada
Council Chamber
Carson City Dec. 4th 1862.

Council met pursuant to adjournment
President in the chair.

Roll called and the following members responded to their names.

Messrs Ford Keller Hall Hannah Lewis Luther Pray Mr. President Crook, Slade Stinebaugh Thompson and Van Bokkelen

Prayer by the chaplain

Journal of yesterday read and approved.

The following communications were received from the House of Representatives.

Territory of Nevada
House of Representatives
Carson Dec. 3rd 1862.

To the Hon. the Council

I respectfully advise your Honorable body that the House has this day concurred in the Council's amendments to the House bill entitled "An act to prevent the escape of prisioners"

All of which is respectfully submitted

Wm H. Gillespie
Clerk

Territory of Nevada
House of Representatives
Carson City Dec. 3rd 1862.

To the Hon the Council.

I transmit herewith the following enrolled House bills, the same having passed the House this day, viz;

The "Act providing for the appointment of a District Attorney for Humboldt County."

An act supplemental to and amendatory of an act authorizing H. D. Rivers and James M. McDonald to establish a ferry and maintain a toll road.

"An Act relating to Notarial duties"
An Act to amend Chapter 64 of the laws of 1861, entitled "An act to regulate Surveyors and Surveying"
An Act to provide for the obtainment preservation and distribution of Vaccine matter".
All of which is respectfully submitted

Wm M. Gillespie
Clerk.

House bill entitled "An Act relating to Notarial duties" was taken up read once and indefinitely postponed by the following vote:

Ayes Messrs Ford Geller Hall Pray Mr. President Steele Sturtevant, Thompson and Van Bokkelen 9.

Noes Messrs. Hannah Lewis & Roop 3.

Absent Mr. Luther 1.

House bill entitled "An Act supplemental to and amendatory of an act authorizing D. D. Kingsbury and James M. McDonald to establish and maintain a toll road", was taken up read a first and second time and referred to the Committee on Roads and Highways.

And leave Mr Roop introduced a bill entitled "An Act authorizing L. H. Bryon Henry Ricard and William Wilson and their associates to maintain a toll road in the County of Douglas. Which was read a first and second time and referred to the Delegation from Douglas County

House bill entitled "An Act to provide for the obtainment preservation and distribution of Vaccine matter" was taken up read a first and second time and refered to the com-

mittee on Roads and Highways,

House bill entitled "An Act providing for the appointment of a District Attorney for Humboldt County" was taken up read a first and second time and on motion was placed at bottom of file.

House bill entitled "An Act to amend Chapter 64 of the laws of 1861 entitled an act to regulate Surveyors and defining" was taken up read a first and second time and referred to the Committee on the Judiciary.

Mr. Lewis introduced a bill entitled "An Act authorizing M. L. McClanahan and his associates to maintain a toll road, which was read a first and second time and referred to the Allegation from Nevada County.

Council bill entitled "An act to supply the town of Washoe city with water and to protect the town against fire" was taken up read a third time and passed by the following vote:

Ayes, Keller Hall Hannah, Lewis Luther Pray Roop Seale, Stuteman Thompson and Van Bokkelen 11.

Absent Ayes. Ford and Pugh 2.

The standing Committee on the Judiciary made the following report which was received and adopted

Mr. President:

The Judiciary Committee to whom was referred council bill for an act to amend an act defining judicial districts and assigning the Judges thereof instructed me to return the same with a recommendation that the bill pass.

Seale Chairman

Van Bokkelen

Seale.

The bill to which the report referred was read a first time, ordered printed, and made a special order of business for 2 O'clock on Monday next.

The following communication was received from the House of Representatives.

Territory of Nevada
House of Representatives
Carson City. 4th 1862

To the Hon. the Council

I transmit herewith for the concurrence of your Honorable body the House bill entitled "An Act to authorize the incorporation of the city of Virginia" passed this day the House.

Respectfully
Wm. M. Gillespie
Clerk.

The bill was read a first and second time and referred to the Delegation from Storey County.

Mr. Pugh gave notice that at some future day he would ask leave to introduce a bill entitled "An Act to provide for the confirmation and transfer of Judgments in relation to Actions at Law pending in the Courts of California in affecting persons and property within Eldorado Lake and Mono Counties.

On motion at 1.10 O'clock the Council adjourned.

verify [illegible]

Territory of Nevada
Council Chamber
Dec 5. 1862

Council met pursuant to adjournment. President in the chair. Roll called all the members of the Council present. Prayer by the Chaplain. Journal of yesterday read & approved.

Mr Smith introduced Council concurrent Resolution Entitled "Request to Governor and Judge Nott, to proceed to Washington City for certain purposes" which on motion was laid upon the table.

Mr Ford gave notice of a Bill Entitled "An act for the relief of Insolvent debtors and protection of Creditors"

The Committee on Roads & Highways made the following report

Mr President. The Committee to which was referred House Bill "An act supplemental to and amendatory of an act authorizing D. D. Kingsbury & James McDonald to establish and maintain a toll road" Beg leave to report that they have had the same under consideration & recommend its indefinite postponement.

All of which is respectfully submitted,
Stellin Chm
Ford
Thompson

Mr Bowers report was on motion refused to the Delegation from Douglas County

Mr Blair introduced Bill Entitled "An act to incorporate the Carson City Gas Company" which read a first and second time and refused to the delegation from Ormsby Co.

The Committee on Agriculture made the following report

Mr President Your Committee on Agriculture to which was referred House Bill Entitled "An act to prevent Animals from trespassing upon Private property" Beg leave to report that they have had the same under consideration and have made some amend-

ments thereto - by amending Sec 1 - 2d line of the words fenced in and upon the grounds of any persons whose said tract of land does not exceed One hundred & sixty acres - and with their amendments we recommend its passage

Lieutenant Chairman

Report received and ordered placed on file

Mr Hall presented claim of John G Childs for certain services which was referred to Committee on claims

The Committee on Roads & Highways made the following report

Mr President

The Committee to which was referred House Bill "An act for obtainment preservation and distribution of vaccine matter" beg leave to report that they have had the same under consideration and recommend the passage of the bill - It is well known that small pox has raged to an alarming extent in some portions of our Territory the present year We consider it our duty to render every facility in our power to ward off its loathsome and fatal effects. The bill in question proposes Nothing. leaving it entirely discretionary with the people whether they will avail themselves of its proposed benefits or not

It is of no compulsory character. It does no harm & may do much good. If it bestows no benefits it certainly does not harm and we are in favor of leaving its merits to a trial rather than take the risk of recommending its rejection The price named in the bill we consider very reasonable when we take into consideration that the person appointed as an agent to vaccine it is compelled to take an oath that he will as far as possible prevent the matter

Respectfully

Stella Chm

Ford

Thompson

Report adopted and the bill passed by the following Vote Ayes Gelly. Hall. Hannah Frey Hall. Stuntevant. Thompson. VanBokkelen & Noes Mess Ford. Lewis. Luther. Pugh. Roop. 5
Mr Lewis gave notice that he would introduce a bill Entitled "an act amendatory of an act Entitled an act to provide for the obtainment Preservation. and distribution of Vaccine matter
The following communication was received from the House

Territory of Nevada
House of Representatives
Carson City Dec 5 1862

To the Hon the Council

I transmit herewith for the concurrence of your Hon Body the following Entitled House bill the same having passed the House on the 4th Inst viz
"An act to provide for the conveyance of Mining Claims
"An act concerning unlawful stock
"An act to change the time of meeting of the Legislative assembly of the Territory
"An act for the relief of Purchasers at sales of Real Estate or any Interest therein by Public Officers

all of which is respectfully submitted

Wm M Gillespie
Clerk

House bill Entitled "An act for the relief of Purchasers at sales of Real Estate or any Interest therein by Public officers. was taken up duly suspended read a first and second and third and passed by the following Vote
Ayes Mess. Gelly. Hall. Hannah. Lewis. Luther. Gray Roop Stuts Stuntevant Thompson. VanBokkelen 11
Absent Mess Ford & Pugh 2
Mr Stuts gave notice that on tomorrow he would move a reconsideration of the vote by which the bill passed
House bill Entitled "An act concerning unlawful Stock" was taken up and read a first & second

time and referred to the Committee on Agriculture House Bill entitled "an act to provide for the conveyance of mining claims" was taken up, read a first and second time and referred to the Committee on Mines and mining interests

House Bill entitled "an act to change the time of meeting of the Legislative Assembly of the Territory" was taken up read a first and second time rules suspended read a third time and passed by the following Vote

Ayes Messrs. Ford Gelpin. Lewis. Gray. Rush Rook. Lieutenant Thompson & Noes Messrs Hall Hannah Luther Steele and VanBokkelen 5

House Bill entitled "an act providing for the appointment of a district attorney for Humboldt County was taken up, read a first and second time, and referred to the Committee on the Judiciary

Mr Hall gave notice of a Bill entitled "an act to amend an act entitled an act relating to wild game & fish" approved Nov 21 61. also an act to amend an act entitled an act to prohibit gambling" approved Nov 26 61"

The Committee on Agriculture made the following report

Mr President Your Committee to which was referred House Bill No 19 report the same back and recommend its passage

Lieutenant Chan

On Motion Sec 4 of the Bill was stricken out and the Bill as amended passed by the following Vote Ayes Messrs Gelpin Hall Hannah Lewis Luther Gray Mr President Lieutenant Thompson VanBokkelen Noes Messrs Rush and Steele

The Committee on Mines & Mining interests made the following report which was received

Mr President Your Committee on Mines and Mining interests to which was referred

House Bill No 89 Entitled "an act for the conveyance of mining claims by leave to report having had the same under consideration and report back to the council with their recommendations that the same do pass for the following reasons

1st A compliance with the provisions of the act will more completely settle title to the claim in the purchaser

2d Such compliance with the provision of the will more effectually prevent litigation in our Courts concerning such property

3d By a late decision of the 1st Judicial district of the Territory such action as this act requires was decided as necessary to legalize any purchase of mining ground and such decision in the opinion of your committee was correct according to our Statute

M. S. Thompson Chairman
Ford
Hannah

The bill was read as entitled in the report a third time and passed by the following Vote Ayes Ford Geller Hall Hannah. Lewis Lytle Ray Rich Roop and Steele. Lieutenant Thompson & Van Bokkelen 13

Mr Lewis offered the following Resolution Resolved hereafter when any bill shall be referred to the delegations of Dn. or more counties the name of the member first upon the roll from the county first named shall be the name presented to the committee as Chairman of the Committee and as such Chairman he shall take charge of and be responsible to the Council for all papers furnished to the Committee by the Clerk of the Council - adopted.

Mr Rich introduced a bill Entitled "An act to provide for the confirmation of and transfer of Judgements and in relation to actions in law now pending in the courts of California affecting titles and property in the Counties

Emerald a Lake and Mono & any other Territory that may hereafter become a part of the Territory of Nevada Which was read a first & second time ordered printed with an additional number of one hundred copies and referred to the Committee on the Judiciary

The following Communication was received from the House of Representatives

Territory of Nevada
House of Representatives
Carson Dec 8 1862

To the Hon the Council

I transmit for the concurrence of your Hon Body the House Bill Entitled "a Memorial to Congress for the Extension of the Annual session of the Legislature assembly of the Territory of Nevada" the same having passed the House this day

Also return herewith the Council Bill Entitled "an act to authorize Norton Lake to construct a toll road from the Junction House in Washoe County to the boundary line between Washoe & Lake counties in Nevada Territory" the House having passed the same this day with the following amendments Viz

In the 6th line of sec 3 strike out the word "two" before the word "miles" and insert in lieu thereof the word "one"

Add to sec 4 after the last word County the following words Viz

Provided at the Expiration of 3 Years the Board of County Commissioners of the several counties through which said road shall run shall have the right to buy said road the value of the same to be determined by five Appraisers two to be chosen by the county two by the County Commissioners and one by the four as Chosen

all of which is respectfully submitted

Wm M Gillespie
Clerk

Council Bill Entitled An act Authorizing Nupon to construct a toll road from the Junction Down in Washoe County to the boundary lines between Washoe & Lake Counties in Nevada "Hunting" was taken up Council refused to concur in the Amendments made by the House and bill Referred to a Select Committee of 3 consisting of Mefrs Geller Loop & Stuntevant
Council at 2 oclock Pm took a recess until 4 oclock Pm

In Council

Mr Loop in the chair 4 oclock Pm
Roll called following Members responded to their names Mefrs Ford Geller Hall Bray. Pugh. Loop. Stuntevant Thompson and Van Bokkelen 9 Absent Mefrs Hannah Lewis Luther Steele & Ormsby County Delegation made a report on Council Bill Entitled " "An act Authorizing M & N McDonald and associates to Maintain a toll road" proposed certain amendments and recommended its passage
The bill was then taken up read a third time and passed by the following vote
Ayes Mefrs Ford Geller Hall Hannah Lewis Luther Bray Mr President Loop Stuntevant Thompson & Van Bokkelen 12. Absent Mr Steele 1
Ormsby & Douglas County delegate made report on Council Bill Entitled "An act granting to Charles Kinsztky and his associates the right to construct a toll road" proposed certain amendments and recommended its passage. The bill was then passed by the following Vote Ayes Mefrs Ford Geller Hall Hannah Lewis Luther Bray. President, Loop Thompson & Van Bokkelen 11
Noes Mr. Stuntevant 1 Absent Mefrs Steele 1.
Ormsby and Douglas County delegation made report on bill Entitled and act authorizing Henry VanSickle to complete and Maintain a toll road" And proposed Certain a—

Amendments thereto and recommended its passage The Bill as amended was taken up Read a third time and passed by the following Vote Ayes Messrs Ford Geller Hall Hannah Lewis Luther Gray Loop Stuntevant Thompson and VanBokkelen 11
Absent Messrs Rush and Stutz 2
Story County delegation reported favorably On Council bill Entitled "an act Authorizing W Ramsting and J W Roberts and their associats to construct and maintain a toll road" bill was taken up suspended Had a third time and passed by the following Vote
All the members voting in the affirmative 13.
Mr President appointed Mr Hall Ford and Stutz as a conference Committee to act with a like committee from the House on Council bill Entitled an act authorizing Nippon Lake to construct & maintain a toll road
Council at 5 o'clock P.M. adjourned

Twenty Second Day

City of Nevada
Council Chamber
Dec 6th 1862

Council met pursuant to adjournment President in the chair Roll called Present Messrs Geller Hall Hannah Lewis Luther Gray Mc President Loop Stuntevant Thompson and VanBokkelen 10
Absent on leave Messrs Ford & Stutz 2
Prayer by the Chaplain
Journal of yesterday Read and approved

On motion leave of absence was granted
Mssrs Ford and Hale for this day
Mr Hall from Judiciary Committee made the
following report
Mr President

Your Committee on Judiciary
to which was referred House Bill 26 providing
for the appointment of a District Attorney for
Humboldt County beg to report the same
to the Council and recommend its passage.

Hall Ch.
VanBokkelen

The Bill as entitled in report was then taken
up and passed by the following vote
Ayes Messrs Keller Hall Lewis Smith Gray Mr
President Roop Lieutenant Governor Thompson
The following Communication was received from
the House

Territory of Nevada
House of Representatives
Carson Nov 6th 1862

To the Hon the Council
I have to advise your Hon Body
that the House on this day concurred in the
Council amendments to striking out the 4th
Section of the House Bill Entitled "An act to
prevent the trespassing of animals upon
private property

Respectfully
Wm M Gillespie
Clerk

House Bill Entitled
"Memorial to Congress for the Ex
tension of the time of the annual Session
of the Legislative assembly of the Territory of
Nevada" was taken up read a first and
second time and referred to the Committee on
Education

Mr Hall from Select Committee made the
following Report
Mr President
The Select Committee to which was

by Lynch Hogan Joint Resolution Relative to Surveyor General in the Territory Nevada report the same back with their approval and recommend its passage)

Ford
Which was received
Mr Collins on Judiciary, made the following report

Mr President

The Judiciary to which was referred Council Bill Entitled "An act to provide for the confirmation and transfer of Judgments, and in Relation to actions now Law now pending in the Courts of California affecting persons and property in the Counties of Esmeralda Lake and Mono" have examined the same and report it back without amendment and recommend its speedy passage

Hall Chase
Received
Mr Hall moved to amend the Bill by inserting the word Roop in place of the word Lake which was carried
The Bill was then passed by the following vote
Ayes Messrs Gelen Hall Hannah Lewis Luther Pray Mr President. Roop Thompson and Van Bokkelen 10
Absent Messrs Ford Stuart & Stuteveant 3
Council at 10 oclock A M adjourned until 12-30 oclock PM on Monday next

Twenty third day

Territory of Nevada
Council Chamber
Carson City Dec. 8th 1862.

Council met pursuant to adjournment
President in the chair.
Roll called and the following members answered to their names
Messrs. Ford Gelen Hall Hannah Lewis Luther Pray, Mr. President. Roop Stuart Stuteveant, Thompson & Van Bokkelen.

Prayer by the chaplain

Journal of yesterday read and approved.

On leave Mr. Roop introduced a bill entitled "An Act to frame a Constitution and State Government, for the State of Nevada, which was read a first and second time ordered printed and referred to the committee on Federal Relations.

On leave Mr. Roop introduced bill entitled "An Act authorizing David Wellington and J.N. Rason to maintain a toll road in Douglas and Esmaralda Counties, which was read a first and second time and referred to the delegation from Douglas ~~county~~ and Esmaralda Counties.

Mr. ~~Ford~~ Roop gives notice that he will at some future day ask leave to introduce a bill entitled "An Act to grant W. H. Nailigh and others to construct a toll road in Roop county.

Mr. Ford introduced a bill entitled "an act to audit the claim of H. P. Rupell Adjutant General of the Territory of Nevada for office rent for the year 1862, which was read a first and second time and referred to the committee on Claims.

Committee on Corporations made the following report:

Mr. President

Your committee on Corporations to whom was referd "An Act to Incorporate the Truckee River Lumber Company have had the same under consideration and beg leave to report the same back and recommend that the same be indefinitely postponed

Roop Chairman

Van Bokkelen
M. S. Thompson -

Report received and the bill indefinitely postponed by the following vote.

Ayes, Messrs, Geller Hall Hannah Lewis Luther Proy. Mr. President Roop. & Tuttle Thompson and Van Bokkelen 11.

Noes Mr. Stuvesant 1.
Absent Mr. Ford. 1.

Storey county delegation made report as follows:

Mr. President: Your committee the delegation from Storey county to whom was refered House bill entitled "an act to authorize the Incorporation of the city of Virginia", would report that the same has never yet been printed, nor are the citizens of Virginia City precinct in anywise acquainted with the chandcter of the same.

Your committee would therefore request that the usual number be ordered printed and 100 additional copies for the use of the Storey county delegation.

J. L. Van Bokkelen
Thos. Hannah
A. W. Proy.

Adopted.

Communications from the House of Representatives

Territory of Nevada
House of Representatives
Carson Dec 8th 1862.

To the Hon. the Council
The House on the 6th day of December Inst. concurs in the Council amendment to the fifth

Section of the House bill entitled "An Act concerning unlawful stock"

The House also on the same day refused to recede from the amendments made by it to the Council bill entitled "An Act to authorize Wynon Lake to construct a toll road etc." non-concurred in by your Honorable body, and further they non-cumred in the Council's new amendments (Secs.) thereto.

Concerning this subject of difference between the two Houses, this House has complaied with the request of your Honorable body, and appointed Messrs. Davenport, Lovejoy & Mitchell as a committee to confer with a similar committee on the part of the Council of which the House been advised.

Respectfully
Wm. M. Gillespie
Clerk

Territory of Nevada
House of Representatives
Carson Dec 8th 1862

To the Honorable Council

I return herewith Council Bill Entitled an Act to create the Dayton Gas Co the House having passed the same on the 6th inst Without amendments

I also return herewith the Council Bill Entitled "an act to authorize Alfred Helm his associats and assigns to construct a toll road" the House having on the 6th inst passed the same with the following amendments " In the 21 line of Sec. 1 strike out the words "one hundred feet Each side of" and insert in the word "for" in lieu thereof

In the 2d line of the 5th Section strike out the word "ten" & insert the word "five" in lieu thereof — In the 8 Section. Strike out all

after the words "in the 15th line" being the words "to be prosecuted by the District Attorney before any Court having competent jurisdiction in the premises"

In the 5th section 3d & 8th lines strike out the word "excluding"

Mr Bennett moved for the concurrence of your Hon Body the following Entitled House Bill, viz

"An act to prohibit the sale of ardent Spirits. Fire Arms & Ammunition to the Indians"

An act to supply the town of Ophir in the County of Washoe with water and to protect the town against fire

An act to grant the right to construct a toll road from Virginia City to Gold Hill in Storey County with a branch to some point in Gale & Ophir below Gale Hill"

All of which is respectfully submitted

Wm. M. Gillespie
Secy

The Committee of Council Bill Entitled "An act to authorize Alfred Hoben his assigns & associates to construct a toll road near Glendale to Reno"

House Bill Entitled "An act to prohibit the sale of Ardent Spirits. Fire Arms & Ammunition to the Indians" was taken up read a first and second time and referred to a Select Committee consisting of Messrs Bonnell Kirk Lieutenant, Thompson and Keyser.

On leave the Daly introduced Bill Entitled "An act to declare Carson River Navigable" which was read a first and second time and referred to the Committee on Internal Improvements

House Bill Entitled "An act to authorize the town of Ophir in Washoe County with Water" was taken up read a first and second time and referred to the delegation from Washoe

House Bill Entitled "An act to Construct

A bill read from Virginia City to Gold Hill in Storey County, with a request to come into Gold Union below Gold Hill was taken up and read a first and second time and referred to the delegation from Storey County. The bill committee from Ormsby & Douglas County, to which was referred bill Entitled "An act authorizing Nathan Hatton and Watty Sanbat to complete and maintain a toll road" reported back with amendments, and recommend to passage.

The bill was taken up and passed by the following vote Ayes Mr. Bell, Kelly, Hale, Brannan Lewis, Bay Mr President. Knapp Steele Stinebaugh Thompson Van Bokkelen Absent Mr. Ford & Locke 2.

Leave of absence was granted Mr Locke for this day.

Council bill Entitled "An act amendatory of an act entitled an act defining the judicial districts fixing the terms of the Supreme and district courts of the Territory defining the special order of business for Wednesday the day was taken up. Amended and passed by the following vote Ayes Messrs Ford Kelly Hale Brannan Lewis Bay Mr President Knapp Steele Stinebaugh Thompson Van Bokkelen 12. Absent Mr. Locke 1

Council at 2 o'clock PM adjourned.

Wednesday morning

Thirty first day of January
Council Chamber
Carson City.

Council met pursuant to adjournment President in the chair. Roll called and all the members present.

Prayer by the chaplain. Journal of yesterday read and approved.

Mr Van Bokkelen gave notice that he would introduce a Bill Entitled "an act

to construct a Toll Road from Virginia City to Steamboat Springs

On leave Mr Ford introduced a bill entitled "An act in relation to usury" which was read a first and second time and referred to the Judiciary Committee

The following Communication was received from the House

"Territory of Nevada
House of Representatives
Carson City Dec. 9 1862

"To the Hon the Council

I have the honor herewith to forward the following entitled House Bills, the same having passed the House on the 8th inst

"An act to legalize the assessment of Real and personal property as made by the County Commissioners of Washoe County"

"An act to amend an act Entitled an act to create the Virginia City Gas Company" approved Nov 28th 1861"

"An act to grant the right to construct and Maintain a Toll Road in Lyon County and Story County"

all of which is respectfully submitted

Chas D King
Asst Clerk

House Bill Entitled "An act" to amend an act Entitled an act to create the Virginia City Gas Company" approved Nov 28 1861— was taken up read a first and second time and referred to the delegation from Story

House Bill Entitled "An act" to grant the right to construct and maintain a Toll Road in Lyon & Story Counties... was taken up, read a first and second time and referred to the delegation from Story & Lyon Counties

House Bill Entitled an act to legalize the assessment of Real and Personal property

A Ward by the County Commissioners of Washoe County was taken up and a first and second time and refused to the delegation from Washoe County

Mr Hannah introduced a bill Entitled an act to amend an act Entitled "An act Establishing a common school system for the Territory of Nevada" approved Nov 29 1861" which was read a first and second time and refused to the Committee on Education and to the delegation of Story County

Mr Hannah introduced a bill Entitled "An act amendatory of and supplemental to An act Establishing a Common School System for Nevada Territory" which was read a first and second time and refused to Committee on Education and the delegation from Story County

Mr Smith Chairman of Enrolling Committee reported correctly Enrolled "An act to create the Dayton Gas Company

Mr Keyser introduced a Bill Entitled "An act" Authorizing William H. Mallory, Ernest Haenke and William K. Packenham and associates to Establish and maintain a Toll Road" which was read a first and second time and refused to delegation from Douglas County

Mr Luther made unfavorable report upon Council bill for "An act Authorizing Daniel Millington and - Dolan to Maintain a Toll road in Douglas and Carson Counties and recommended the indefinite postponement of the bill - Report adopted

Mr Rush gave notice that on tomorrow he would move a reconsideration of the above vote

Mr Seeley from Select committee made a Report as follows

Mr President Your committee to which was referred Council Bill Entitled An act

granting the right to Charles H Bryan Henry Grier and Wm Wilson to construct and maintain a toll Road have made certain amendments thereto and Recommend its passage as amended.

Smith Chm

The Bill as amended was ordered Engrossed

Delegation from Washoe County reported as follows

Mr President

Your Committee to which was referred Bill Entitled "an act to legalize the assessments of Real and personal property as made by the Commissioners of Washoe County" beg to report the same back to the Council without amendments And recommend its passage

Stuntevant Chm

Geller

The Bill as Entitled in the report was then read a third time and passed by the following Vote Ayes Messrs Geller Hannah Lewis Pray. Mortimer Dick Stuntevant. Thompson and VanBokkelen 9

Absent Messrs Ford. Hall. Smith. & Stuts 4

The Committee on Claims made the following Report

Mr President,

Your Committee on Claims to whom was referred the claim of Wellington Stewart. Beg leave to report having had the same under consideration and would recommend the assumption by the Territory of that portion of the claim accruing since the organization of Nevada Territory amounting to the sum of Six Hundred & Ninety three 50/100 ($693 50/100) dollars and would for the present (and until some rule has been adopted by which claims arising with organization shall be settled) recommend

the rejection of such portion of the claim as is charged for services rendered as United States District attorney in the Territory of Utah - amounting to the sum of $375.50/100

Your Committee would also report a bill for an acting and paying the amount first stated in the report

A W Gray Chairman
Lieutenant
Hannah

Report received and adopted

The bill Entitled, an act to audit the Claim of Wellington Stewart and to provide for payment of same was introduced read a first second & third time and passed by the following Vote Ayes Messrs Ford Gelder Hannah Lewis. Gray, Mr President. Rough Lieutenant Thompson and Van Bokkelen 11

Absent Messrs Haws Luther & Steele 3

Mr Lewis from delegation from Grisly reported back bill Entitled "An act to incorporate the Carson City Gas Company. with out Amendments which was referred to Judiciary Committee

The Joint Resolution: memorial to Congress was then taken up read a third time and passed as amended by the following Vote

Every member voting in the affirmative 13

Council at 1½ o'clock took a recess until 2 o'clock P.M.

In Council 2 P.M.

The following Communication was received from the House of Representatives

Hunter of Nevada.
Council Chamber
Dec 9 / 1862

To the Hon the Council

I transmit herewith the following Enrolled House Bills the same having passed the House this day

"An act to change the name of Mrs E E Newbill"

Also transmit herewith the Council Bill Entitled

An act to Amend an act Entitled "An act for the improvement of Carson River" Approved Nov 28th 1861 - the House having passed the same this day without amendments

Respectfully
W. M. Gillespie Clk

House Bill Entitled "An act to change the name of Mrs E E Newbill was thru read a first & second time & refund to delegation from Storey county which upon favorable file read a third time and passed by the following Vote

Ayes Messrs Hall Hannah Lewis Luther Kay, Rush Roop Stubs Thompson & Van Bokkelen 10

The following report was received from the delegation from Roop and Humboldt Counties Mr President

Your Committee to which was referred Council Bill Entitled an act authorizing W H Waleigh Ernest Hauff and D. K Parkinson to construct and Maintain a Toll Road in Roop & Humboldt counties Beg leave to make the following report And recommend its passage as amended

Roop
Thompson

The Bill was Read a third time as Entitled in the report and passed by the following Vote Ayes Messrs Ford Gelly Hall Hannah Lewis Kay Mr President. Roop Stubs Lieutenant Thompson & Van Bokkelen 12 absent Mr Smith 1

The Special delegation to which was House Bill No 43 reported as follows Mr President Your committee to which was refund House Bill No 43 Entitled An act to prohibit the sale of Fire Arms Ardent Spirits or ammunition beg leave to report the same back to the Council with amendments and recommend its passage Hannah. Chairman

Report was received

The bill as amended was read a third time and passed by the following vote Ayes Mess Ford Gillespie Hall Hannah Pray Rugh Rupp Thompson and VanBokkelen 9 Nays Mess Lewis Slade Stuntevant 3 absent Mr Sutton

Committee on Engrossing made the following report

Mr President The Committee on Engrossed Bills respectfully report that Council bill for "an act to grant the right to C.H. Bryan and others to construct a Toll Road is correctly Engrossed

Lewis, Chm

The bill was then read a third time and passed by the following Vote Ayes Mess Gillespie Hall Hannah Lewis Pray Mr President Rupp Slade Stuntevant Thompson and VanBokkelen 11 absent Mess Ford Sutton & 2

Mr Hall gave notice that he would introduce a bill Entitled "an act to provide for all franchises for maintaining toll roads or bridges shall pay two per cent of their gross receipts into the Sentoral Square for School purposes

The Story county delegation made the following report

Mr President Your Committee to which was referred "an act to amend an act Entitled an act to create the Ames City Gas Company" beg leave to report the same back to the council without amendments and recommend its passage

Hannah
VanBokkelen
Pray

The bill as Entitled in the report was then read a third time and passed

by the following vote Ayes Mess. Gellen Hall Hannah Lewis Pray Mr President Roop Steele Sturtevant Thompson & Van Bokkelen 11 Absent Mess Ford & Luther 2,
On motion ordered that 100 copies Extra Each of the Bills relating to Schools be printed
At 3.30 oclock PM the Council adjourned.

Territory of Nevada
Council Chamber
Carson city Dec 10th 1862.

Council met pursuant to adjournment.
Roll called and the following members responded to their names;
Messrs. Ford. Gellen. Hall Hannah. Lewis Luther Pray. Mr. President. Roop Steele, Sturtevant and Van Bokkelen.
Prayer by the chaplain
Journal of yesterday read and approved.
An Act relating to Insolvent debtors was read a first and second time and referred to the committee on the Judiciary.
Washoe county delegation made the following report
Mr. President:
Your committee composed of the Washoe county delegation to which was referred House bill entitled "An Act to supply the town of Washoe Ophir with water and to protect the town against fire ask leave to report that we have had the same under consideration, have come to a favorable conclusion thereon and report the same back to the Council without amendments and recommend its passage.

Sturtevant Chairman
Gellen.

Report received and the Bill passed by the following vote:

All the members voted in the affirmative, except Mr. Hall who was absent.

Mr. Lewis from committee on Federal Relations, on bill entitled An Act to frame a Constitution and State Government for the State of Washo," made the following report, which on motion was referred Laid on the Table.

Mr. President and gentlemen of the Council.

Your committee to whom was referred "An Act to frame a Constitution and State Government for the State of Washoe, recommend its passage with the following amendment.

Strike out the enacting clause.

Lewis.

Mr. Hannah offered a substitute to House Memorial relating to the sitting of the Legislative Assembly of the Territory of Nevada, which was lost by the following vote:

Ayes Messrs Geller, Hannah, Pugh Roop and Thompson 5.

Noes Messrs. Hall, Lewis, Luther Bray, Steele Sturtevant and Van Bokkelen 7.

Absent Mr. Ford 1.

Memorial was then laid on the table by the following vote:

Ayes Messrs. Geller Hall Hannah Lewis Luther Bray Mr. President Roop Steele Sturtevant Thompson and Van Bokkelen 11.

Noes Mr. Sturtevant 1.

Absent Mr. Ford 1.

Message from the Governor.

Executive Department.

Territory of Nevada
Carson City Dec. 10th 1862.

To the Council of the Territory of Nevada

I have this day approved of the following titles, to wit:

"An Act to create the Dayton Gas company."

"An Act to amend an act entitled an act for the improvement of the east branch of the Carson river" approved November 28, 1862.

James W. Nye
Governor of the Territory
of Nevada.

Mr. Hannah gave notice that on to-morrow he would move a reconsideration of the vote by which House Memorial relating to the sittings of the Legislative Assembly was passed.

Committee on Internal Improvements made the following report:

Mr. President:

Your committee to whom was referred Council bill for an act to declare Carson & Humboldt, and Truckee rivers navigable report the same back with an amendment and recommend its passage as amended.

Stuart Chairman
Hall.
Stubs.

The bill was laid on the Table and usual number of copies ordered printed.

At 12.30 O'clock P.M. Council took a recess until 2 O'clock P.M.

In Council
2 O'clock P.M.

Roll called and all the members responded to their names.

Mr. Stubbs gives notice that he will, at some future day, ask leave to introduce a bill entitled "An Act amendatory of Section six of an act entitled 'an act to regulate fees and costs'" approved Nov 29th 1861.

Storey county delegation made the following report:

Mr. President:

Your committee to whom was referred an act entitled an act to grant the right of way to construct and maintain a toll road in Lyon and Storey Counties would recommend the passage of the same as amended by your committee.

Thos. Hannah
J. L. Van Bokkelen
A. W. Pray.

Report received and bill passed, all the members voting in affirmation, but Messrs Rose and Stutevant, who were absent.

Communication from the House of Representatives.

Territory of Nevada
House of Representatives
Carson City Dec. 10th 1862.

To the Hon the Council

I transmit herewith for the concurrence of your Honorable body the following entitled House bills, the same having passed the House this day, viz:

"An Act authorizing A. W. Nightingill and H. C. Ayers to establish and maintain a toll road bridges and ferries"

"An Act to incorporate the town of Goed Hill"

All of which is respectfully sub-

mitted.

Wm. H. Gillespie
Clerk.

Mr Stubs on leave introduced a bill entitled "An Act granting to Moses Job Emanuel Penrod abut their ~~assa~~ ciates heirs and asigns the right to construct a toll road". Read a first and second time and referred to the committee on Roads and Highways.

Mr. Lewis introduced bill entitled "An Act for the relief of Harrington Kinkead ~~&c~~." which was read a first and second time, and referred to the committee on Claims

House bill entitled "An Act authorizing A. W. Nightingill and H. C. Ayers to establish and maintain a toll road bridges and ferries was taken up read a first and second time referred to the committee on the Judiciary, which committee made favorable report, the bill read a third time & passed by the following vote.

All the members voted in the affirmative; except Mr Stuteant who was absent.

Mr. Hall introduced bill entitled An Act to levy a tax of two per cent on toll roads and bridges, which was read a first and second time and referred to the committee on Education.

Mr. Hannah to whom was referred House bill entitled "An Act to incorporate the town of Gold Hill made the following report!

Mr. President:-

Your committee to whom was referred House bill entitled "An Act to incorporate the town of Gold Hill would beg leave to report

the same back to the Council with amendments and recommend its passage as amended.

Amend Section two by striking out "20th day of December 1862" and inserting in lieu thereof second Tuesday in January A.D. 1863.

Thos. Hannah.

Report received and bill passed by the following vote:

Ayes Messrs. Ford, Geller, Hannah, Lewis, Luther, Gray, Pugh, Roop, Sturtevant and Thompson 11.

Noes Messrs. Hall and Steele 2.

Absent Mr. Van Bokkelen was excused.

On leave Mr Ford introduced bill entitled "An Act to amend an act, entitled an act in relation to the Militia of the Territory", which was read a first and second time, and made special order of business for tomorrow at 12 O'clock M.

Mr. Hall offered the following resolution

Resolved by the Council the House of Representatives concurring:

That the standing committees of the two Houses on the Judiciary shall constitute a joint committee for the consideration of all bills relating to the civil practice act and criminal practice acts.

Hall

Laid over for one day.

Council at 3.30 O'clock P.M. adjourned.

Twenty sixth Sess.

Territory of Nevada
Council Chamber
Dec 11 1862

Council Chamber met pursuant to adjournment. President in the chair Roll called following members Present Mr Ford Heller Hannah Lewis Luther Gray Mr President Rooh Steele Lieutenant Thompson & VanBokkelen Prayer by the Chaplain. Journal of yesterday read and approved

On motion of Mr Steele the Council at 12-30 oclock a m adjourned out of respect to the memory of the late S O Hayward who departed this life the present inst

Friday Dec 12th 1862

Council met pursuant to adjournment President in the chair Roll called and all the members responded to their names Prayer by the Chaplain Journal of yesterday read and approved.

Mr. Pugh introduced a bill entitled An Act to create the Aurora city Gas company, which was read a first and second time, rules suspended bill read a third time and passed by the following vote:

Ayes Messrs. Hazel Heller Luther Gray Pugh Rooh Steele Lieutenant Thompson and VanBokkelen 11.

Noes Mr. Luther 1.

Absent Mr. Hannah.

Mr Lewis introduced bill entitled "An Act To provide the town of Silver City with water and to protect the town against fire, which was read a first and second time and referred to the Committee from Lyon County.

On motion regular order of business for yesterday, being the consideration of Council bill entitled "An act to authorize Alfred Helvin his repre-

Gates and assigns to construct and maintain a "Cole road" was taken up, the amendments made thereto by the Senate concurred in, bill read a third time and passed by the following vote,

All the members voted in the affirmative.

Messrs Rose and Thompson from committee on Corporations made favorable report on House bill entitled An Act to provide for the formation of Corporations for certain purposes, and recommended its passage without amendments. To which Mr. Van Bokkelen made a minority report and offered a substitute therefor, which, and the House bill was made the special order of business for tomorrow at 11 o'clock A.M., by the following vote

Ayes Messrs Reed Hall Sutton, Pres Mr President - Stub and Van Bokkelen 5.

Noes Messrs. Geller Hannah Lewis Rose Sturtevant & Thompson 6.

Mr. Hall from Standing Committee on Roads and Highways to which was referred the bill entitled "An Act providing to Emanuel Gub, and others and their assigns to construct a toll road, report that they have had the same under consideration have come to a favorable conclusion thereon and have directed their chairman to report the same to the Council without amendments and recommend its passage.

Report received and bill passed by the following vote;

All the members voted in the affirmative except Mr. Lewis who was excused.

Committee on Federal Relations made the following report!

Mr. President

Your committee to whom was referred Council bill entitled "An act to form a Constitution and State Government for the State of Waseluse," beg leave to report that they have had the same under consideration and report the same back to the Council without amendments and recommend its passage

Respectfully submitted.

State Delegation

D. Geller.

Mr. Lewis from same committee submitted a minority report, and on motion made the subject matter for special business for next Tuesday at 1 2 0' clock.

Messrs Steele and Hunt from special committee made the following report

Mr. President —

Your committee to whom was referred the bill entitled "An Act to supply the town of Silver City with water and to protect the town against fire", beg leave to report that they have had the same under consideration, and report the same back without amendments and recommend its passage.

Respectfully submitted

S. Steele

Hunt.

Report received and the bill read a third time and passed by the following vote.

All the members voted in the affirmative except Messrs Lane

and Lewis who were absent.

Wm. Lewis gives notice that he will at some future day ask leave to introduce a bill entitled "An Act to authorize the administrator of the estate of Austin A. Sharon to execute a conveyance and for other purposes.

Communication from the House of Representatives.

Territory of Nevada
House of Representatives
Carson Dec 11th 1862.

To the Hon. the Council

I return herewith the following entitled Council bills, the House having passed the same on the 10th inst. amended as herein after stated, viz:

An act to amend an act entitled an act to incorporate the Virginia city and Washoe Railroad company passed at the first session of the Legislative Assembly of Nevada Territory.

Amend by adding new "Section 2. Nothing contained in the provisions of this act shall be so construed as to mean or operate as a legalization, or non-legalization of the charter granted under and by virtue of the act of which this is amendatory."

Make Sec. 2. read Sec. 3."

An act to supply the town of Washoe city with fire, and to protect the town against fire."

Amend Sec. 1 in the third line. Strike out the word "twenty" and insert "Ten" in lieu thereof.

An Act authorizing W. R. Armstrong and J. W. Roberts and their associates to construct and maintain a toll road"

Amend Sec. 5th in the fifth line by striking out the word "neglect".

Amend Sec. 6 by striking out the words "one thousand" in the tenth line, and insert in lieu thereof the words "five hundred".

Amend Sec 10 by striking out all of the section after the word "treasury" in the ninth line and insert in lieu thereof the words for territorial purposes.

Amend by adding new section "11 To read the said Armstrong and Roberts shall commence work upon said road by the first day of April 1863, and complete the same within eighteen months from the passage of this act.

Amend by adding new section 12 to read "It shall be lawful at any time after the expiration of five years from the passage of this act for the board of county commissioners of the respective counties through the road mentioned in this act shall desire to purchase the same for the use and benefit of their respective counties and in the following manner: The said board of county commissioners shall each appoint one person from their respective counties: The said Armstrong and Roberts shall appoint three persons and the persons so appointed shall choose one person, making a board of appraisers of seven persons, whose duty it shall be to appraise said road at its cash value, and report the same at its cash value to the respective boards of county commissioners, who may afterwards by concurrent resolutions purchase the same road.

at the value as appraised by the said board of appraisers, provided that nothing in this ~~act~~ Section shall be so construed as to give the right to either of said boards of county commissioners to purchase only that portion of said road lapping through their respective counties.

Note Sec. 12 read Sec. 13.

All of which is respectfully submitted

Wm. M. Gillespie
Clerk.

Council bill entitled "An Act authorizing W. R. Armstrong and J. W. Roberts and their associates to maintain a toll road, was taken up, House amendments concurred in by the council. All the members voting in the affirmative.

Also Council bill entitled "An act to supply the town of Washoe city with water and to protect the town against fire", was taken, House amendment thereto concurred in and bill passed all the members voting in the affirmative.

Also Council bill entitled "An Act to amend an act entitled an act to incorporate the Virginia city and Washoe Railroad company passed at the first session of the Legislature Assembly of Nevada Territory" was taken up, House amendments concurred in, read a third time and passed, all the members voting aye, except Mess. Sutton and Rayhood were absent.

House bill entitled "An Act concerning Roads and Highways was taken up read a first and second time and referred to the committee on Roads and Highways.

House bill entitled "An Act for the protection of Mines and Mining claims was taken up read a first and second time and referred to the committee on Mines and Mining interests, which committee made a favorable report thereon and recommended the passage of the bill without amendment. Bill passed by the following vote—all the members voted aye.

Communication from the House of Representatives:

Territory of Nevada
House of Representatives
Carson City Dec. 11th 1862.

To the Hon. the Council.

I transmit herewith the House bill entitled "An Act to prohibit the Sale of ardent Spirits, fire arms or ammunition to the Indians", the House having non-concurred in all the Council's amendments thereto on the 10th inst.

The House on the 10th inst. concurred in the Council's amendments to the House bill entitled "An Act A joint resolution relative to the office of Surveyor General of the Territory

"The House has also concurred in the Council's amendments to the House bill entitled "An Act to incorporate the town of Gold Hill".

Wm M. Gillespie
Clerk

"Territory of Nevada
House of Representatives
Carson city Dec. 11. 1862

"To the Hon the Council
I transmit herewith for the

concurrence of your Honorable body the following entitled House bills viz:

An Act Concerning Roads and Highways"

"An Act fixing the time for acts and Joint Resolutions"

An Act to amend an act entitled an act to grant the right to construct a toll road from Virginia city to Truckee Meadows and Steamboat Valley in Washoe ~~county~~ and Storey counties. Approved November 29th 1861.

An Act for the protection of Mines and Mining claims.

All of which is respectfully submitted.

Wm M. Gillespie
Clerk.

House bill entitled "An Act to prohibit the sale of ardent spirits fire arms or ammunition to the Indians" was taken up. Council recede from its amendments thereto bill read a third time and passed as it come from the House All the members voting Aye except Messrs. Luther and Stanton.

House bill entitled "An act to amend an act entitled an act to grant the right the right to construct a toll road from Virginia city to Truckee Meadows and Steamboat Springs Valley in Storey and Washoe Counties." Approved November 29 1861, was taken up read a second and third time and passed to the allegation from Storey and Washoe Counties.

House bill fixing the time for acts and joint resolutions to take effect, was taken up read a third time and passed. All the seven

bers voting aye except Mr Stuart who was absent.

Territory of Nevada
House of Representatives
Carson City Nov 11. 1862.

To the Hon. the Council.

The House on the 10th Inst concurred in the Council's amendment to the House bill entitled "An Act to grant the right to construct and maintain a toll road in Lyon and Storey counties."

I transmit herewith House bill entitled "An Act to authorize certain persons to construct a Turnpike road from Virginia city to Steamboat Springs" for the concurrence of your Honorable body the same having passed the House this day.

I return herewith the council bill entitled "An Act authorizing M. L. McDonald and associates to maintain a toll road" the House having passed the same this day with the following amendments Viz:

In the first line first Sec. strike out the words "his associates" and insert in lieu thereof words, "M. L. McDonald and J. J. Bedford" after the word "survey" in the last line add as follows, Provided that nothing in this Section shall be so construed as to grant to the said McDonald and his associates or assigns any right that may interfere with any public road or any franchise now granted or under consideration before this Legislature.

In the 4th Sec. 6th & 7th lines Strike out the words "or attempt to pass"

In the 7th Section 1st line strike out the words "his associates".

Strike out all after word "Treasury" in the 7th line and insert in lieu thereof "the words "Territorial ~~Treasury~~ purposes"

Add new Section viz: It shall be lawful at anytime after the expiration of five years from the passage of this act for the board of county Commissioners of Ormsby county to purchase the road for the use and benefit of said county or so much thereof as may be in Ormsby county, and in the following manner, the said board of County Commissioners shall appoint two persons from said county, the said McDonald and associates shall appoint two persons and the four so appointed shall appoint one person making a board of appraisers of five persons whose duty it shall be to appraise the said road at its cash value and report the same to the board of County Commissioners who may afterwards purchase the said road at the value so affixed by the said board of appraisers.

Add new Section 9 namely, the said McDonald Bedford and associates shall commence work upon said road by the 1st of April 1863, and complete the same within one year from the passage of this act.

Add new Sec. 10 viz: This act shall take from and after its passage

All of which is respectfully submitted.

Mr. Ford gives notice that he will at some future day ask leave to introduce a bill entitled "An act to incorporate the Nevada and Humboldt Company."

On leave Mr. Sturtevant introduced a bill entitled "An Act authorizing A. M. Evans James Harrod and James M. Gried to maintain a toll road" which was read a first and second time and referred to the committee on Federal Relations

committee on Claims made the following report

Mr. President

Your committee to whom was referred a bill for the relief Reinhard Harrington & Co, to the amount of $457. having had the same under consideration find it correct and report back to the Council, with a recommendation of its passage.

A. W. Gray Chairman
Thomas Hannah
J. H. Sturtevant.

Report receives bill read a third time and passed by the following vote All the members voting Aye except Mr. Ford.

Mr. Ford gives notice that he will at some future day ask leave to introduce a bill "An Act for the relief of Lyon county in Nevada Territory.

Mr. Hannah offered the following concurrent resolution. Adopted

Resolved by the Council the Assembly concurring that there be a joint committee of three members of the Council and three of Assembly appointed to examine

the accounts of the Territorial Auditor & Treasurer with instructions to report on Tuesday morning December 16th

Mr. Lewis offered the following resolution.

Resolved that the printing committee be and are hereby directed to procure manuscript reports of the Territorial Auditor and Treasurer from the printer at once.

Storey county delegation made the following report.

Mr. President:

Your Special committee the delegation from Storey county to whom was referred the bill for an act entitled "An Act providing for the erection of county buildings in Storey county" would report that they have had the same under consideration and therewith report report a substitute and ask that the same be passed.

J. L. Van Bokkelen
A. W. Pray
Thomas Hannah.

Substitute read a first and second time and placed on file.

Mr. Hall presented claim of D. J. Gussie. Referred to committee on claims.

Mr Steele gave notice, that he would on tomorrow morning move a reconsideration on the vote by which the bill in relation to mines and mining claims was passed.

House bill entitled "An Act authorizing certain persons to construct a Turnpike road from Virginia city to Steamboat Springs, was taken up read a first and second time and referred to the delegation from Storey and Lyon county counties.

Mr Roop gives notice that he will at some future day ask leave to introduce a bill entitled "An Act to organize a special term of the District Court of Roop county."

At 3.30 O'clock P. M. the Council adjourned until 10 O'clock A. M. on Monday next.

Twenty seventh day

Territory of Nevada
Council Chamber
Carson city Dec 13, 1862

Council met pursuant to adjournment, President in the chair.

Roll called and all the members responded to their names.

Prayer by the Chaplain

Journal of yesterday read and approved.

Mr. Hannah presented a petition numerously signed praying the incorporation of Virginia City, which was referred to the delegation from Storey county.

The following communication was received from the House of Representatives:

Territory of Nevada
House of Representatives
Carson City Dec. 13th 1862.

To The Hon the Council

I return herewith Council Bill entitled "An Act to provide for the confirmation and transfer of judgments and in relation to actions at law now pending in the courts of California affecting persons and property within the counties of Esmeralda, Roop and Mono, and any other territory that may hereafter be created out of the Territory of Nevada."

the House having this day passed the Senate with the following five amendments viz:

In the first section first line after the word "law" insert the words "or in equity".

Sixth line of the word "Roop" insert the words "if such counties or any portion there of is now or shall be ceded by cession or otherwise a portion of the Territory of Nevada"

Seventh line after the word "that" insert the words "is or".

Strike in the 8th 9th and 10th lines the words "wherein citizens of either the State of California or the Territory of Nevada were parties."

In the 2nd Section:

First line after the word "law" insert "or in equity".

In the 6th 7th 8th 9th 10th 11th 12th and 13th lines strike out the words "of Esmaralda Mono or Roop counties and any other Territory that may hereafter become a part of the Territory of Nevada wherein a citizen or citizens of either the State of California or the Territory of Nevada are parties."

In the 15th line after the word "Courts" insert the words "of said counties or in the proper courts of Nevada Territory upon the filing of a transcript of the proceedings had in the courts of California with the clerk of the proper court of Nevada Territory."

Also after the word "and" strike out the word "such" and insert the words "all writs proceedings and" in lieu there of.

In the 16th line before the word "shall" insert the words are hereby legalized and".

In the 18th 19th 20th and 21st lines strike out the words "conducted and the judgments therein have been rendered in a court of competent jurisdiction within this Territory" and insert in lieu thereof the following "commenced and prosecuted in the proper courts of Nevada Territory."

In the third section:

In the first line after the word "of" insert the words "a certified copy of"

In the second and third lines strike out the words "together with a transcript of the proceedings"

In the fourth line strike out the words "now pending" and insert the words "or in equity"

In the 8th 9th 10th 11th 12th 13th 14th and 15th lines strike out the words "of Esmaralda, Roop and Mono Counties and any other Territory that may hereafter become a part of the Territory of Nevada wherein a citizen or citizens of either the State of California or the Territory of Nevada were parties" and insert in lieu thereof the words "as contemplated in the first section of this act."

In the 22nd and 23rd lines strike out the words "in an action".

In the 23rd line after the word "law" insert the word "or in equity".

In Section 4:

In the 4th line strike out the word "and" and insert the word "or"

In the 5th 6th and 7th lines strike out the words "and proceedings had in the district court of the State of California."

In the 9th line after the word court insert the words "or a copy

of the original proceedings in such action."

In the 12th line of the the letter "A" insert the words "certified transcript of any such"

In the 13th line after the words "or the transcript thereof"

Strike out the 15th down to and including the 25th lines the words "the County Recorders of Esmeralda Mono and Inyo Counties any other Territory that may hereafter become a part of the Territory of Nevada: the judgment creditor after five days notice in writing upon the judgment debtor, his agent or attorney and on motion before a Judge of a court of competent jurisdiction shall be entitled to execution thereon" and insert in lieu thereof the words "the clerk of the District or Probate court within the Territory contemplated in the first section of this act, the same shall become a judgment after the proper courts of Nevada Territory."

In the 26th line after the word "proceedings" insert the word "as"

In the 31st line before the word "County" insert the words "The people"

Strike out the words "within the" and insert the words "of the"

Insert after the word "Territory" the words "of Nevada"

On the 5th Section:

In the 3rd line before the word "California" insert the words "the State of"

In the 7th & the 9th 10th 11th and 12th lines strike out the words "counties of Inyo Esmeralda and Mono or any other Territory that may hereaf-

ter become a part of the Territory of Nevada and thereby legalizes and" And insert in lieu thereof the words", Territory as contemplated in the first Section of this act."

In the 4th line after the word "feet" add the words "from the top of this act."

On Section 6.

In the second line after the word "from" insert the words "and after."

Respectfully
Wm M. Gillespie
Clerk

Council bill entitled "An Act for the confirmation and transfer of Judgments and in relation to actions at law now pendings in the courts of California and practicing Officers persons and property within the counties of Carson, Roop and Mono, was amended in the House and the bill refered to the Committee on the Judiciary."

Communication from the House of Representatives

Territory of Nevada
House of Representatives
Carson City Dec. 12th 1862.

To the Hon the Council

I transmit herewith for the concurrence of your Honorable body the following entitled House bills the same having passed the House this day viz: An Act to prevent certain officers from dealing in certain securities."

An Act to prevent extortion in office and to enforce official duty."

I return herewith the House bill entitled "An Act in relation to lost and

fences" as amended by your Honorable body the House having this day non-concurred in said amendments.

All of which is respectfully submitted.

Wm. M. Gillespie.

Clerk.

House bill entitled "An Act in relation to lawful fences" was taken up conference committee consisting of Messrs. Stuckart, Roop and Luther were appointed by the President to act with a like committee from the House to further consider the bill.

House bill entitled "an act to prevent extortion in office and to enforce official duty, was taken up read a first and second time and referred to the committee on the Judiciary.

House bill entitled "An Act to prevent certain officers from dealing in certain securities was taken up read a first and second time and referred to the committee on Education.

The hour of 11 O'clock A.M. having arrived and special order of business being for that hour the consideration of House bills in relation to Corporations, the Council proceeded to consider the same.

Mr. Luther moved that the bills be postponed until 11 O'clock A.M. on Monday next. Motion carried by the following vote.

Ayes. Messrs Ford Hall Luther Pray Mr. President Stuckart and Van Bokkelen 7.

Mr. Ford from standing committee on Militia Military Affairs to which was referred the bill entitled "An Act to amend an act entitled An Act relative to the Militia of the Territory" report that they

bond have the same under consideration have come to a favorable conclusion thereon and have directed their Chairman to report the same to the Council with Amendments and recommend its passage.

Bill was read a second time and passed by the following vote: All the members voting in the affirmative except Messrs Lewis and Stuntevant.

Committee on Federal Relations made favorable report on Council bill entitled "An Act to appoint a Commissioner for certain purposes", and recommended its passage without Amendments.

Bill now in special order of business for Wednesday next.

Council substitute to House bill entitled "An Act providing for the erection of county buildings in Storey County was taken up read a second and third time and passed by the following vote:

Ayes Messrs Keller Hall Haywood. Gray Roop Stubbs Stuntevant and Thompson 8.

Balance of the members absent.

Mr Hannah gives notice that he will at some future day ask leave to introduce a bill entitled "An Act to provide for the building of School Houses in Storey county.

Mr Roop introduced a bill entitled "An Act to provide for a special term of the District Court in Roop County, which was read a first and second time, the Rules suspended the bill read a third time and passed by the following vote:

Ayes Messrs. Ford, Keller, Hall, Hannah, Luther, Pray, Steele and VanBokkelen 8.
Balance of the members were absent.
At 12.20 O'clock P.M. the Council took a recess until 4 O'clock P.M.

In Council
4 O'clock P.M.

Roll called. Quorum present.

Storey county delegation made the following report.

Mr. President

Your committee to whom was referred House bill entitled "An Act to grant the right to construct a toll road from Virginia city to Gold Hill in Storey county with a branch to some point in Gold Canon below Gold Hill, report the same back amendments, and recommending their adoption and passage of bill

J. L. VanBokkelen
A. W. Pray
Thos. Hannah.

Report adopting bill amended and passed as amended by the following vote:

All the members voting Aye, except Messrs. Luther, Rose, Sturtevant and VanBokkelen who were absent.

Communication from the House of Representatives

Territory of Nevada
House of Representatives
Carson Dec. 13th 1862.

To the Hon. the Council

I transmit herewith the House bill entitled "An Act to provide compensation for services rendered in the supervision of the printing of the laws and Journals of the first session

of the Legislative Assembly" for the concurrence of your Hon. Body, the House having this day passed the same unanimously

All of which is respectfully submitted

Wm. M. Gillespie
Clerk.

Territory of Nevada
House of Representatives
Carson City Dec 13th 1862.

To the Hon. the Council

The House has this day passed the Council concurrent resolution providing for the appointment of a joint committee to examine the accounts of the Territorial Treasurer and Auditor

The committee on the part of the House is Messrs J. B. Winters Mitchell and Perkins,

The House has this day passed the concurrent resolution of the Council providing for the Joint action of the Judiciary committee of the two Houses, concerning the bills relating to the Criminal & Civil practice acts.

Respectfully
Wm. M. Gillespie
Clerk

A House bill entitled "An Act to provide for the compensation for services rendered in the supervision of the printing of the Laws and Journals of the first Session of the Legislative Assembly" was taken up read a first and second time and referred to the Committee on Claims

On leave Mr. Hall introduced a bill entitled "An Act to pro-

for the construction of a Plank and Turnpike road between the Carson city in the County of Ormsby and the town of Empire city in said county", which was read a first and second time and referred to the delegation from Ormsby county.

Enrolling Committee made the following report:

Mr. President—

Your Committee on Enrolling beg leave to report the accompanying bills as correctly Enrolled and recommend that it be returned back to the Enrolling Clerk with direction that interlineations destroy the validity of an act.

L. M. Luther

At 5.30 O'clock P. M. Council adjourned until Monday next.

Territory of Nevada
Council Chamber
Carson city Dec. 15th 1862.

Council met pursuant to adjournment.

President in the chair:

Roll called, All the members present—

Saturday

Journal of yesterday read the 13th Dec. read and approved.

Communication from the House of Representatives:

Territory of Nevada
House of Representatives
Carson city Dec. 15th 1862.

To the Hon the Council

I transmit herewith for the concurrence of your Honorable body the House bill entitled "An act to amend and add supplemental to an act to provide for the assessing and collecting county and Territorial

Revenue" passed by the House on the 13th Inst.

I also transmit herewith a copy of the report of the Conference committee on the matter of difference between the two Houses on the Revenue bill entitled "An Act to authorize Mayson Lake to construct a toll road &c" together with the bill, the House having on the 13th Inst. accepted said report.

Respectfully,
Wm. M. Gillespie
Clerk.

To the Hon. the House of Representatives and Council.

The undersigned a conference committee appointed by your Honorable bodies on the subject matter of difference between the two Houses the same being on amendment to Council bill entitled "An Act to authorize Mayson Lake to construct a toll road from the Junction House in Washoe county &c" made by the House as follows! In Sec 3. 6th line by striking out the word "two" before the word "miles" and inserting in lieu thereof the word "one", respectfully report that the committee on the part of the Council have agreed to said amendments and we your conference committee respectfully recommend your concurrence therein

All of which is respectfully submitted.

Ford, Hall & Hannah
Committee on the part of the Council.

Lovejoy, Mitchell Wm. H. Davenport, Committee on the

part of the House.

Council concurred in House amendments to Council bill No 19. and bill as amended passed by the following vote - all the members voting aye, except Mr. Ray who was absent.

House bill entitled "An Act to amend and supplement to an act to provide for the assessing and collecting County and Municipal Revenue" was taken up read a first and second time and made special order of business for 7 O'clock P.M. this day.

Mr. Ford introduced a bill entitled "An Act to grant the right to construct a Toll road from the town of Dayton in Lahonton district Lyon county to Carson River at or south of Empire city and to authorize the construction of a bridge across Said River" which was read a first and second time and referred to Delegation from Lyon and Ormsby County.

Committee on the Judiciary made the following report:

To the Council of the Territory of Nevada

Your Judiciary committee to whom was referred the following entitled bills after a careful examination of the same report them back recommending their passage:

House bill entitled "An Act for the election of Probate Judges and prosecuting Attorneys and defining their duties."

House bill entitled "An Act for the relief of persons imprisoned on civil process."

House bill entitled "An Act sup-

plementary to an act concerning conveyances."

House bill entitled "An Act prescribing the manner of applying for pardons

House bill entitled "An Act to authorize the protection of limited partnerships.

House bill entitled "An Act &c concerning Wills"

House bill entitled "An Act to provide for marks instead of signatures"

House bill entitled "An Act concerning the writ of Habeas Corpus."

Hall dissenting—
J. L. Van Bokelen.

House bill entitled "An Act for the Election of Probate Judges and Prosecuting Attorneys and defining their duties" was taken up read a third time and passed by the following Vote. Ayes Mr Geller. Mr Hall Mr Haunah Mr Lewis. Mr Luther Mr President Mr Roop Mr Steele. Mr Sturtevant. Mr Thomson, Mr Van Bokelen 11. Absent 2.

House Bill entitled "An Act for the relief of persons imprisoned on Civil process" was taken up. Read a third time and passed by The following Vote. Ayes, Mr Geller. Mr Hall. Mr Haunah, Mr Lewis. Mr Luther. Mr President. Mr Roop. Mr Steele. Mr Sturtevant. Mr Thomson Mr Van Bokelen. 11. Absent 2.

House bill entitled "An Act supplementary to an Act Concerning Conveyances" was taken up. bill read a third time and passed by The following Vote. Ayes. Mr Ford. Mr Geller, Mr Hall. Mr Haunah. Mr Lewis, Mr Luther, Mr President. Mr Roop. Mr Steele. Mr Sturtevant, Mr Thomson. Mr Van Bokelen. 12. absent 1.

House bill entitled "An Act prescribing the Manner of applying for pardons was taken up. Read a third time and passed

by the following vote. Ayes. Mr Ford. Mr Geller. Mr Hall. Mr Hannah. Mr Lewis. Mr Luther. Mr President. Mr Roop. Mr Steel. Mr Sturtevant. Mr Thomson. Mr Van Bokelen. 12. Absent 1.

House bill entitled "An Act Concerning Wills" was taken up. Read a third time and passed by the following Vote. Ayes. Mr Ford. Mr Geller. Mr Hall. Mr Hannah. Mr Lewis. Mr Luther. Mr Roop. Mr Steel. Mr Sturtevant. Mr Thomson. Mr Van Bokelen. Mr President. 12. Absent. 1.

House bill entitled "An Act to authorize the formation of limited partnerships" was taken up. Read a third time and passed by the following Vote. Ayes. Mr Ford. Mr Geller. Mr Hall. Mr Hannah. Mr Lewis. Mr Luther. Mr President. Mr Roop. Mr Steel. Mr Sturtevant. Mr Thomson. Mr Van Bokelen. 12. Absent 1.

House bill entitled "An Act Concerning the writ of Habeas Corpus was taken up. Read a third time and passed by the following Vote. Ayes. Mr Ford. Mr Geller. Mr Hall. Mr Hannah. Mr Lewis. Mr Luther. Mr President. Mr Roop Mr Steel. Mr Sturtevant. Mr Thomson. Mr Van Bokelen 12. Absent 1.

House bill entitled "An Act to provide for Marks instead of Signature," was taken up. and read a third time and passed by the following Vote, Ayes. Mr Ford. Mr Geller. Mr Hall. Mr Hannah. Mr Lewis. Mr Luther. Mr President. Mr Roop. Mr Steel. Mr Sturtevant. Mr Thomson. Mr Van Bokelen. Ayes. 12. Absent 1.

House bill entitled "An Act to Amend Chapter Sixty four of the laws of Eighteen hundred and Sixty One entitled "An Act to Regulate Surveyors and Surveying" was taken up read a third time and passed by the following Vote. Ayes. Mr Ford. Mr Geller. Mr Hall. Mr Hannah Mr Lewis. Mr Luther. Mr Roop. Mr President. Mr Steel. Mr Sturtevant. Mr Thomson. Mr Van-

Bokelen. 12. Absent 1, Mr Hannah on leave introduced a bill Entitled "An Act to define the duties of the reporter of the Supreme Court and fix his Compensation" which was read a first and second time, and referred to the Committee on the Judiciary.

A petition ~~was~~ Numerously Signed by citizens from Ormsby County relating to the action of Mr Hall on the Corporation bill was presented and referred to Mr Hall.

Corporation Act taken up.

The two reports relating were laid on the table and the bill considered

Mr Hall offered Sundry amendments thereto. One of which was to Strick out all of Section 5. in the 16th line after and including the word "but" Carried by the following Vote. Ayes. Mr Ford, Mr Hall. Mr Luther. Mr Pray. Mr Pugh. Mr Steel. Mr Van Bokelen 7. Nays. Mr Geller. Mr Hannah. Mr Lewis. Mr Roop. Mr Sturtevant. Mr Thomson, 6

Mr Pugh gave Notice that on tommorrow he would Move a reconsideration of the Vote by which the Said Section was Amended

Mr Roop on leave introduced a bill entitled "An Act to aid in the Construction of a Pacific Rail Road, which was read a first and Second Time and referred to the Committee on Roads, and Highways.

Mr Roop on leave introduced a bill entitled "An act to amend an act Entitled An act granting to Certain persons the right to Construct a Rail Road from the Western to the Eastern boundary of the Territory" which was read a first and Second Time and referred to the Committee on Roads and Highways

The following Report was received

Mr President.

The Council del-
-egation from Ormsby County, have Examined

Council bills entitled "An Act to constitute a Toll Road from the Town of Como in Palmyra District to Lyon County." And "An Act to provide for the construction of a plank and Turnpike Road between the Town of Carson City in the County of Ormsby and the Town of Empire City in said County and recommend their passage

Hall
Lewis

At 3 O'Clock P. M. Council took a recess until 6.30" O'Clock P. M.

In Council
6.30" O'Clock P. M.

President in the Chair
Quorum present

Mr Lewis introduced a bill entitled "An Act to authorize the administrators of the Estate of Austin A Chauncy deceased to execute a Conveyance and for other purposes. Read twice and referred to Committee on the Judiciary.

Council adjourned 7. O'Clock

Territory of Nevada
Council Chamber Carson City Dec. 16" 1862

Council met pursuant to adjournment
President in the Chair.

Roll called and the following Members reported to their Names. Ayr, Mr Ford. Mr Geller. Mr Hannah. Mr Lewis. Mr Luther. Mr Ray. Mr President. Mr Roop. Mr Steele. Mr Sturdevant. Mr Thomson. Mr Van Bokelen. 11.

Prayer by Rev. Mr Yeager of Esmeralda.

Journal of Yesterday Read and approved.

On leave Mr Ford introduced a bill Entitled "An Act to Construct the Truckee River log driving Company" which was read a first and Second time and referred to Committee on internal Improvements.

Council bill Entitled "An Act to provide for the Construction of a plank and

Turnpike road between the Town of Carson City in the County of Ormsby and the Town of Empire City in Said County, was taken up read a third time and passed by the following Vote. Ayes. Mr Ford. Mr Hall. Mr Hannah Mr Lewis. Mr Luther. Mr Pray. Mr President. Mr Roop. Mr Sturdevant, Mr Thomson. Mr Van Bokelen. 11. absent 2.

Council bill entitled "An Act to Construct a Toll road from the Town of Como in the Pahrump District Lyon County to Empire City" was taken up read a third time and passed by the following Vote. Ayes. Mr Ford. Mr Hall. Mr Hannah. Mr Lewis. Mr Luther. Mr Pray. Mr President. Mr Roop. Mr Steele. Mr Sturdevant. Mr Thomson. Mr ~~Xxxx~~ Van Bokelen. 12. Absent 1

Committee on Roads and Highways made the following report.

Mr President

Your Committee to whom was referred House bill. Entitled an Act Concerning Roads and Highways. Respectfully report the same back with a recommendation that it pass.

S. Geller
R M Ford
M. S. Thomson.

The bill as amended passed by the following Vote. Ayes Mr Ford, Mr Hall. Mr Hannah. Mr Lewis. Mr Luther. Mr Pray, Mr Roop. Mr Steele. Mr Sturdevant. Mr Thomson. Mr Van Bokelen 11. Absent 2.

Committee on Roads and Highways made the following reports.

Mr President.

Your Committee on Roads and Highways to whom was referred the bill Entitled "An Act to amend an Act Entitled an Act granting to certain parties the right to Construct a Rail Road from the Western to the Eastern boundary of the Territory of Nevada Approved November 23rd 1861. beg leave to report.

The same back to the Council and recommend its passage

Geller. Chairman
Ford.
Thomson.

Mr President.

Your committee on Roads and Highways to whom was referred the bill entitled An Act to aid in the Construction of a Pacific Rail Road, have come to a favorable Conclusion thereon, ask leave to report the same back to the Council and recommend its passage

Geller
Ford
Thomson

Mr President

Your Chairman from the Standing Committee on Enrollment respectfully reports, that the Committee have carefully compared the following bills with the Engrossed Bills as presented to them and have found them correctly enrolled. Viz.

Council bill entitled an act to incorporate the Virginia City and Washoe Rail Road Company.

Also. Council bill entitled an act authorizing W. R. Armstrong, D. W. Roberts and their associates, to construct and maintain a Toll Road.

Also. Council bill Entitled An Act to authorize Alfred Helm, his Associate, and assigns to Construct a Toll Road Also. An act to authorize Meyron Lake his heirs and assigns to Construct a Toll Road. Also. An act to Supply the Town of Washoe City with water

Luther.

Council resolved itself into a Committee of the whole, for the Consideration of "An Act Entitled "An Act to amend and Supplemental to an Act to provide for the assessing and collecting County and Territorial Revenue."

At 1.30 O'clock P.M. the Committee rose and reported progress and asked leave to Sit again.

On Motion at 1.30 O'Clock P.M. Council took a recess until 3.30 O'Clock P.M.

Report from Committee on Judiciary Adopted.

Mr President.

The Judiciary Committee instruct me to report back and recommend the passage of the following bills

Council bill entitled. "An Act to authorize the administrator of the Estate of Austin E. Chauncey deceased to execute a conveyance and for other purpose. Also House bill Entitled An Act to prevent extortion in office and enforce official duty. Also Council bills. to Report an Act to provide for taking the Census. An Act to incorporate the Carson Ice Company. "An Act for the relief of insolvent debtors and protection of creditors"

An Act to provide for the Confirmation and transfer of Judgments and in relation to actions at law now pending in the Courts of Calaveras affecting persons & property in the Counties of Esmeralda Roop and Mono. All which is respectfully Submitted,

G. D. Hall. Chairman

Council Bill Entitled an Act to provide for the Confirmation and transfer of Judgments and in relation to actions at law now pending in the Courts of California affecting persons & property in the Counties of Esmeralda Roop & Mono. was taken up read a third time and passed by the following Vote Ayes. Mr Ford. Mr Geller. Mr Lewis. Mr Luther. Mr President Mr Rupe. Mr Slade. Mr Sturtevant Mr Van Bokkelen. 9.

Council Bill Entitled an Act for the relief of insolvent debtors and protection of Creditors was taken up read a third time and passed by the fol-

lowin, Vole ayes. Mr Ford. Mr Feller. Mr Hall. Mr Lewis. Mr Luther. Mr President Mr Roop Mr Steele. Mr Thomson. Mr Van Bokkelen. 10. Nays Mr Shurtevant 1. Absent Mr Hemmah 1.

Mr Pugh's Motion to reconsider the Vote by which Amendment to Section 5. of House Bill Entitled to Provide for the formation of Corporations and for other purposes was Carried by the following Vote. Ayes. and Nays being demanded. Ayes. Mr Feller. Mr Hemmah. Mr Lewis. Mr President. Mr Roop. Mr Shurtevant. Mr Thomson. 7. Nays. Mr Ford Mr Hall. Mr Luther. Mr Pugh Mr Steele. Mr Van Bokkelen 6.

Mr Pugh Moved that the Rule be Suspended. Bill Considered Engrossed. Read a Third Time and placed on its final Passage upon which Motion a division was Called for with the following result Ayes 7. Noes 6. The Bill was then Passed by the following Vote. Ayes Mr Mr Ford. Mr Feller. Mr Hemmah. Mr Lewis. Mr Pugh. Mr Roop. Mr Steele Mr Shurtevant. Mr Thomson 7. Nays. Mr Hall. Mr Luther. Mr Pugh Mr Van Bokkelen. 4.

Mr Hemmah Moved a Reconsideration of the Vote by which the bill passed Mr Roop Moved that the Motion be indefinitely postponed Carried by the following Vote. ayes. Mr Feller, Mr Hemmah Mr Lewis. Mr Pugh. Mr Roop, Mr Shurtevant Mr Thomson. 7. Nays. Mr Ford. Mr Hall. Mr Luther, Mr Pugh, Mr Steele Mr Van Bokkelen. 6.

Clay County delegation made Report as follows.

Mr President

The delegation from Virginia to whom was referred the Act Authorizing the Incorporation

of Virginia City would report the Same back with Goldwin amendments and recomend their adoption and the passage of the Bill.

Van Bokkelen
A M Gray

Bill as Entitled in the report was then passed by the following Vote. Ayes Mr Geller Mr Hall. Mr Lewis. Luther. Mr Gray Mr Roop Mr Stiles. Mr Shurtevant. Mr Van Bokkelen. 9

Mr Roop introduced Bill Entitled An Act for the relief of T D Mormon which was read a first and Second Time and referred to the Committee on Claims.

Mr Roop introduced Bill Entitled An Act granting to certain persons a right to Construct a Toll Bridge across Humboldt River in Humboldt County which was read a first and Second Time and referred to the Delegation from Humboldt.

At 5 O'Clock P M the Council adjourned

Territory of Nevada
Council Chamber
Carson City Dec 17th 1862

Council Met pursuant to adjournment.

President in the Chair

Roll Called and the following Members answered to their Names. Mr Ford Mr Geller. Mr Hall. Mr Lewis. Mr Luther Mr Gray. Mr President. Mr Roop. Mr Stiles. Mr Shurtevant. Mr Thornton Mr Van Bokkelen.

Prayer by the Chaplain

On Motion of Mr Hall Journal of yesterday read and approved

On leave Mr Ford introduced a Bill Entitled An Act to Authorize D. Hawkins to Construct a Toll

Road. which was read a first and
Second time and referred to the delegation
from Esmeralda County with instructions.
Delegation from Humboldt County,
made the following report, —
Mr President
Your
Committee to whom was referred
Council Bill Entitled An Act granting
to Certain persons the right to construct
a toll Bridge across the Humboldt River
in Humboldt County. respectfully report the
same back with a recommendation that
it pass.
Mr. S. Thomson
Adopted
The Bill was then read a
third time and passed by the following
Vote. Ayes. Mr Hoon. Mr Geller. Mr Hall
Mr Lewis. Mr Gray. Mr Roop Mr Steele
Mr Shutleworth. Mr Thomson. Mr Van Bokelen,
10. Absent 2.
Washoe Delegation Moved the
following report.
Mr President.
Your Com-
-mittee Composed of the Washoe Delegation
to which was referred Council Bill En-
-titled An Act allowing Certain parties
to Construct a Toll Road on Truckee River
have had the same under Consideration
have made some amendments thereto
and recommend its passage
Shutleworth Chair
Adopted
Geller
On Motion of Mr Roop the Vote
by which the Bill Entitled An Act to
Incorporate the Town of Virginia City.
was ~~Record~~ passed was Reconsidered
by the following Vote, Ayes 7. Mr Geller.

Mr Hannah. Mr Lewis Mr Bray
Mr Pugh. Mr Roop Mr Slick Mr Stur-
-devant. Thomson. Van Bokelen 10. Noys
Mr Ford. Mr Hall. Mr Sutton. 3.
To which Mr Hannah Made the following
Minority report.

Mr President

Dissenting from
The Views of the Majority of your Committee
in reference to the Amendments proposed
to the Act Entitled An Act Amendatory of
the Virginia City Charter. I would most
Respectfully present for the Consideration
of the Council Such reasons as have
Caused me to oppose the Amendments
proposed. to wit. First. The Act as
The Act has been presented to the Council
after due deliberation by the almost unan-
-imous Vote of the Assembly and after the Same
have been to the Knowledge of the Subscriber
duly Canvassed and enquired into by the
Members of Said County Delegation and
duly receiving their Support after Such
Careful Consideration. Second. After
the Same have passed the Assembly the
bill was published in the daily papers
of the City to be Effected by the Same.
Whereupon a petition was Signed by a
large number of the principal Citizens
of Virginia City Comprising among the
Number a Majority of the largest Tax
payers of Virginia City. and men of
Such Sound Sense and discretion as
would preclude the idea of their Signing
Such petition without having given
the act full Consideration. Your
Subscriber also fully believes that the
Citizens of Virginia City are Capable
and thoroughly Competent to understand
what they desire and as they have
by petition Expressed their wishes

in respect to the Act under Consideration before your Committee and therefore your Subscribers would recommend the passage of the Act as it was received from the House, without Amendment

Thos. Hannah

Mr Hannah moved to strike out the amendments made on yesterday, lost by the following Vote. Ayes. Mr Hannah. Mr Lewis. Mr Riley Mr Rook Mr Masterman. Mr Thomson, 6 Nays Mr Dorel. Mr Feller Mr Hall. Mr Luther Mr Pray. Mr Slade. Mr Van Bokkelen 7.

The Bill was read a Third time as Amended and passed by the following Vote All the Members Voting Ayes.

Mr Dorel introduced Memorial for the pay of Mr Noyes for Certain Service Referred to the Committee on Claims.

Communication from the House of Representatives,

Territory of Nevada
House of Representatives
Carson Dec. 16th 1862

To the Hon. The Council.

I transmit herewith the following entitled House Bill for the Concurrence of your Hon. Body the Same having passed the House on the 15th Inst. Viz. "An Act to provide a Contingent Fund for the Territory."

Respectfully
Wm Gillespie
Clerk

Territory of Nevada
House of Representatives
Carson Dec. 15th 1862

To the Hon. The Council.

I transmit herewith for the Concurrence of your Hon. Body The House Bill Entitled An Act to Create the County of Lander, The House having passed the same this day.

The House this day Concurred in the Council Amendments to the House Bill Entitled An Act to grant the right to Construct a Toll Road from Virginia City to Gold Hill in Storey County with a Branch to some point in Gold Canon below Gold Hill. All of which is respectfully Submitted.

Jno M Gillespie
Clerk

House Bill Entitled "An Act to Create the County of Lander was taken up, read a first and second time Rules Suspended, and Bill read a third time and passed by the following Vote. Ayes. Mr Dorel. Mr Fuller. Mr Hall Mr Hannah, Mr Lewis. Mr Luther. Mr Pray Mr President. Mr Roop. Mr Steel. Mr Thomson & Mr Van Bokkelen 12. Absent 1

House Bill Entitled An Act to provide for the Contingent Fund of the Territory was taken up read a first and second time, Rules Suspended Bill read a third time and passed by the following Vote Ayes Mr Dorel. Mr Luther Mr Pray. Mr Rugh. Mr Roop, Mr Thomson Van Bokkelen 7. Nays. Mr Fuller. Mr Hannah Mr Hall. Mr Lewis. Mr Steel. Mr Sturdevant 6

Ormsby County Delegation Made the following Report.

The Ormsby County Delegation to whom the accompanying Bill was Submitted, Report that they are informed that the proprietors of said road refuse to pay the Federal Tax on the Road or Make the returns Required by Law.

We Therefore report against granting any Extension of Their Franchise

Hall, Chair
Lewis

The Bill was then read the Second time and referred to the Committee on Education

The following report was received from the Committee on Claims.

Mr President

Your Committee on Claims Craves Leave to report, having had under Consideration the following Claims Viz. Claim of J. W. Gasharie for Seventeen Hundred and fifty Three dollars and fifty Cents ($3,753.50) Claim of Wm Wm Gillespie, and Claim of He P Russel. Your Committee after full Consideration and careful Examination Beg Leave to report favorably upon the Claims of J W Gasharie, Wm Wm Gillespie and Recommend the Rejection of the Claim of He P Russel from the fact that your Committee believe that the duties devolving upon the Adjutant General during the past year have not required an Office.

A. W. Pray Chair
Hannah
Sturtevant

Adopted.

Mr Hannah Made the following Report Your Committee have had under Consideration House Bill Entitled "An Act to prevent Certain officers from dealing in Certain Securities" and have had the Same under Consideration, Return the Same and Recommend its passage.

Hannah, Chair

Adopted

Council at 12. 40' O'Clock P. M. Resolved itself into Committee of the whole for the Consideration of Revenue Bill and at 2. 12' O'Clock P. M. Arose, Reported Progress and asked Leave to Sit again,

Council at 2 12' O'Clock P.M. Took a Recess until 3. 12' O'Clock P.M.

In Council 3. 15' O'Clock P.M.

President in the Chair.

Quorum present

Regular order of Business being the Consideration of Bill Entitled An Act to appoint a Commissioner Mr Ford introduced a Substitute to Section one. On Motion the Subject Matter of the Bill was temporarily postponed

The Select Committee appointed to Examine into the Condition of the Territorial Treasurers and Auditors Accounts for the Territory made the following Report

Mr President

Your Committee appointed to Examine the accounts of the Territorial Auditor and Treasurer would beg leave to present the following report, After a careful and Examination as the brief period allotted your Committee would permit We found the books, papers & c. in the Offices of Said Officers all Carefully and accurately Kept, And Also found all the Necessary Vouchers for Monies Expended We Examined the accounts in Connection with the reports of Said Officers and found them to agree with their Reports

Your Committee desire to pay a Compliment to the Gentlemen in their respective Offices for the Excellent taste Exhibited by them in the Selection of Books in which to Keep the Territorial Accounts and Also for the ability and Accuracy Manifested by them in Keeping the Same,

From the Examination Made by your Committee we regret to be Compelled to report that the Financial Condition of the Territory is not of Such a Flattering Character as your Committee

could desire. To remedy this in a great measure and place our financial Character upon a Substantial and Creditable basis Your Committee would urge the importance and necessity of acting in accordance with the recommendations of the Territorial Treasurer. We acknowledge the necessity and suggest that Territorial bonds be issued to the amount of at least twenty thousand dollars, for the redemption of our Outstanding warrants, unless such a policy is adopted our Credit will be damaged and warrants will so depreciate that the cost of maintaining the Government will thereby increase fifty per Cent. Your Committee have observed with regret the derelection of the several Clerks of the District Courts in not collecting Attorneys fees in aid of the library fund and would urge upon these officers a strict observance of the law requiring the Library fee from all licensed Attorneys in the Territory. Your Committee would Call Special attention to the insecurity of property in the offices of the Auditor and Treasurer and would recommend an immediate appropriation for the purchase of a suitable fire safe to insure the safety and preservation of the public archives. The increasing business in the departments of the Auditor and Treasurer make it indispensable necessary that each of these officers should be allowed a clerk to enable them to perform the duties of their respective offices. We would therefore recommend that an appropriation not to exceed twelve hundred dollars ($1200) ~~to~~ ~~to~~ each, be made for Compensation of Clerks for the Auditor and Treasurer for the ensuing fiscal year. Hannah. Hall. Steele

Mr Hannah one Bill introduced Bill entitled "An Act to issue bonds and Coupons" which was read a first and Second Time and referred back to Committee of Bill. Blanks

Committee on Internal Improvements Made favorable report on bill entitled "An Act to incorporate the "Truckee River and Log driving Company" and recommended its passage without amendments, Bill read a Third Time and passed by the following vote. Ayes. Mr Ford, Mr Geller Mr Hall Mr Hannah Mr President Mr Roop. Mr Steele Mr Sturtevant Mr Thomson. 9. Nay Mr Lewis Mr VanBokkelen 2. Absent 1.

Mr Hannah gave notice that on tomorrow he would move a reconsideration of the Vote by which the Bill passed.

Council bill entitled "An Act Authorizing the Administrator of the Estate of Austin A. Cheney Deceased, to Execute a Conveyance and for other purposes was taken up read a Third Time and passed by the following vote. Ayes Mr Ford, Mr Geller Mr Hall. Mr Hannah Mr Lewis. Mr Luther. Mr Priscilla Mr Roop. Mr Steele. Mr Sturtevant Mr Thomson Mr VanBokkelen. 12. Absent 1.

Council Bill Entitled "An Act to incorporate Gas Company was taken up read a Third Time. and passed by the following vote. ayes Mr Hall. Mr Hannah. Mr Lewis. Luther. Mr President Mr Roop. Mr Steele. Mr Sturtevant, Mr Thomson Mr VanBokkelen. 10. Nays Mr Ford, Mr Geller. 2. Absent 1.

Council bill Entitled "An Act Repealing an Act passed at the first Session of the Legislative Assembly of Nevada Territory, Entitled "An Act to

provide for taking the Census and apportioning the representation of the Legislative assembly of the Territory of Nevada, was taken up read a third time and passed by the following vote, ayes Mr Gillen Mr Hall. Mr Hannah Mr Lewis, Mr Luther Mr President, Mr Roop, Mr Stark. Mr Sturtevant, Mr Thomson, Mr VanBokkelen 11 Title of bill was amended so as to read as follows. "A Bill for an Act to repeal An Act Entitled An Act to provide for taking the Census and apportioning the representation of the Legislative Assembly of Nevada Territory."

½ O'Clock P.M. Council took a recess until 7 O'clock P.M.

In Council 7 O'C P.M. President in the Chair

Quorum present

Mr Luther offered the following Resolution Resolved, That the pay of Engineers & Firemen now, on duty in the Enrolling Room of the Council and that the Secretary of the ~~X~~ Council be and he is Authorized to employ an additional Enrolling Clerk at a Salary not Exceeding Eight dollars per day. Adopted. Mr Luther

Council bill Entitled "An Act to authorize & Directing to Construct a Toll Road Was taken up read a third time and passed by the following Vote, Ayes Mr Dorsey, Mr Gillen, Mr Hall, Hannah Lewis Luther, Roop, Mr. President, Roop, Sturtevant Thomson, VanBokkelen, 12 Absent 1.

Special Committee made the following Report.

Mr President.

Your Committee to whom was Referred Council bill Entitled

An Act to issue Bonds and Coupons
Mey Leave to report Action, Pillar Blanks
in the Same and recommend the passage of
the Bill.

Hannah
Hall
Steele

Adopted.

The Bill was then read a third time
and passed by the following Vote ayes, Mr
Ford, Fuller, Hall, Hannah, Lewis, Luther
Mr President, Roop, Steele, & Mey Mish Pray
Sturtevant, Thomson, Van Bokelen 4

Mr Hannah made the following
Report.

Mr President,

Your Committee
to whom was referred Council Bills No. 7 and
8. entitled respectively as follows,
"An Act to amend An Act Entitled An
Act establishing a Common School System
for the Territory of Nevada, Mey Leave to
report having had the same under Consid-
-eration and would report the same back
to the Council and recommend their passage
with the following amendments to wit
Amend Section 3. line 15. to read "his appo-
-intment," Striking out "the apportionment"
in Section 12 line 2 add the word "Annually" after
the word "Warrant"

Adopted

Tom Hannah

The bills were then Severally read as Entitled
in the report a third time and Each unanimously
passed. all the Members voting aye.

Council Resolved itself into the Committee
of the whole for the consideration of the Revenue
bill. Committee arose. reported progress and
asked leave to Sit again

In Council.

Mr Hannah introduced
Bill Entitled. Act Supplemental & amendatory
of An Act to provide for the Election of

Probate Judges, and prosecuting Attorneys and defining their duties, Passed and Read once

Mr Steele introduced a bill Entitled An Act for the permanent location of the Seat of Government of the Territory of Nevada. Read once. Mr Roop moved that to Amend by Striking out, "Silver City" in Lyon County and inserting in lieu there of the word "Susanville," Carried.

Mr Pugh gave notice that on tomorrow he will introduce a bill to Establish a ferry on Walker Lake

At 9.30 O'Clock P M Council adjourned by the following Vote. Ayes Mess^rs Abbott, Geller, Hannah, Lewis, Mr President, Steele, Thomson, 7. Nays Mess^rs Luther, Roop, Shurtevant 3.

Territory of Nevada
Council Chamber Carson City Dec^r 15^th 1862

Council met pursuant to adjournment.

President in the Chair.

Roll Called and the following Members responded to their names. Ayes Mess^rs. Geller, Hannah, Lewis, Luther Pray, Pugh, Roop Steele, Shurtevant, Thomson, Van Bokkelen Nays Pray Lewis, Roop, Thomson, 3.

Committee on Claims made the following report.

Mr President.

Your

Committee on Claims to whom was referred An act Entitled An Act for the relief of Thomas J Mormon beg leave to report the same back to the Council with the recommendation that the same do pass.

Pray
Hallman
Sturtevant

Adopted

Council Bill Entitled ~~An Act~~ Act "An Act for the relief of Thos. J. Mormon, was taken up read a third time and passed by the following Vote ayes, Mess^rs Ford, Geller, Hall Hannah, Luther, Pray, Prayn. Roop Sturtevant & VanBokelen. 11. Nays. Lewis & Thomson, 2

Council Bill Entitled An Act to amend an Act Entitled An Act granting to certain persons the right to Construct a Rail Road from the Western to the Eastern boundary of the Territory was taken up read a third time passed by the following Vote Ayes, Mess^rs Geller. Hall. Hannah Hall. Lewis. Luther, Pray Prayn, Roop Steele. Sturtevant. Thomson & VanBokelen 11

Council Bill Entitled An Act to aid in the Construction of a Pacific Rail Road was taken up and indefinitely postponed by the following vote, Ayes. Mess^rs Geller. Lewis. Pray. Mr President. Sturtevant Thomson. & VanBokelen. 7, Nays Mess^rs Ford. Hall. Hannah, Luther, Roop, and Steele, 6

Council bill entitled, an Act to establish a road from Dayton, Lyon County to Desert Creek in Esmeralda County in Nevada Territory, was taken up, read, House amendments thereto Concurred in, bill read a third time, and passed by the following vote; Aye, Messrs Ford, Geller, Hall, Hannah, Luther, Pray Pruyn. Roop Steele. Sturtevant Thomson & VanBokelen

Mr Roop Moved to reconsider the vote by which Council Bill entitled "An" Act to incorporate the Carson City Gas Company"

was passed. carried. ayes 8 noes 4.

Mr Hall offered the following resolution Resolved by the Council that the House of Representatives be requested to return to the Council the Council Bill entitled "An Act to incorporate the Carson City Gas Company" Carried.

Council Bill entitled An Act authorizing C. H. Bryan and associates to maintain a Toll Road was taken up, and laid on the table

Council Bill entitled An Act imposing a capitation tax on Mongolians and others was taken up. Council refused to concur in House amendments thereto

Mr Pugh moved a reconsideration of the vote on nonconcurrence Lost Ayes 6. Noes 6

Council Bill entitled An Act authorizing Robert Lyons and L. Wilbourn to construct and maintain a toll bridge across East Walker River near Dickson's Ranch was taken up read a third time and passed by the following vote ayes Messrs Geller, Hancock Bray, Roop, Steele, Sturtevant Thompson, 6 noes Messrs Hall, Lewis Luther, Van Bokkelen.

Council Bill entitled An Act authorizing Henry Van Sickle to complete and maintain a toll Road was taken up and laid on the table.

Council Bill entitled An Act granting to Charles Rowefsky and his associates a right to construct a toll Road was taken up read the first time

Read Council Minutes Concerning House Amendments.

Communication from the House of Representatives

Senate City Aug 16 1862

To the Hon. Council

Mr Stanwood Moves that the following House Amendments be Read and Referred to the Committee on Finance of the Council &c. and the Secretary Instructed to Cause Said Amendments to be Printed for the Purpose of Consideration

The House Have Passed Concurred in The Council Amendments in The House Bill Entitled "An Act Concerning Roads and Highways &c"

Respectfully

Chas. D. Kimball

Asst. Clerk.

Concurrent Resolution was adopted

House Bill Entitled An Act to Create a Cash Contingent Fund in Certain Counties was taken up Read first and Second time and Referred to Committee on Claims.

House Bill Entitled An Act for the Incorporation of Religious, Charitable Literary Scientific and other Associations was taken up Read a first Second & Third time and passed by the following Vote. Ayes. Mess Geller. Hall. Hannah Lewis. Luther. Pray. Mr President. Roop Steele. Sturtevant & Van Buskirk 11

House Concurrent Resolution, relative to the War, &c, was taken up, read a first time, and on motion laid on the table.

House Bill entitled "An Act for the Relief of Wm. H. Henderson was taken up, read a first, second, and third time, and passed by the following Vote; Ayes, Mr Jarrett, Mr Butler, Mr Hall, Mr Hannah, Mr Lewis, Mr Luther, Mr Ray, Mr Strickland, Mr Reese, Mr Stuart, Mr Vanderbilt Nelson, 11; Nay, Mr Steele, Mr Thompson; Affirmative 9, Negative 2.

At 1 o'clock P.M. Council took a recess until 2 o'clock P.M.

In Council 2 o'clock P.M. House Bill entitled "An Act to change the Name of Unionville in Hamilton County and to incorporate the same, was taken up, read a first time, and referred to Mr. Lewis.

"House Bill" Entitled "An Act to authorize certain parties to construct a Rail Road was taken up, read a first, second, and third time, and passed by the following Vote— Ayes, Mr Reed, Mr Butler, Mr Hall, Mr Hannah, Mr Lewis, Mr Luther, Mr Ray, Mr President, Mr Reese, Mr Steele, Mr Stuart, Mr Thompson Mr Van Bokkelen, 13.

Mr Van Bokkelen gave Notice that on Tomorrow he would move a Reconsideration of the Vote by which the Bill passed.

"House Bill entitled "An Act to incorporate Homestead and property from forced Sale in certain Cases, was taken up and on Motion laid on the Table.

Council resolved itself into Committee of the whole for the Consideration of the Revenue Bill.

Committee rose, reported Sundry amendments and Recommended the passage of the Bill as amended

In Council

Bill passed by the following vote Ayes, Messrs. Hall, Geller, Hall, Hannah, Luther, Prov, Mr President, Roop, Steele, Stuteveans, Thomson Van Bokelen, 12, Nays Mr Lewis, 1

On Leave Mr Hannah introduced Bill Entitled "An Act to provide for the Erection of School Houses in Story County which was read a first time Rules Suspended, Read a Second & Third Time and passed by the following vote Ayes, Messrs. All the Members Answering A

On Leave Mr Stuteveans introduced a Memorial & Carriage Concerning depredations Committed by the Indians, adopted by the following vote. Ayes, Messrs. Hall, Lewis, Luther, President, Roop, Steele, Stuteveans, Thomson, Van Bokelen, 9, Nays, Messrs Geller, Hannah & Prov 4.

Council at 2.30 O'Clock took a recess until 6 O'Clock P.M.

In Council 6 O'Clock P.M.

Roll Called. Quorum present

House Bill Entitled An Act to provide further improvement of Navigation of the Cedar and Humboldt Rivers was taken up read twice and referred to Committee from Lyon and Humboldt Counties.

House Bill Entitled An Act for the protection of Agricultural lands was taken up read a Third time and placed on its final passage, passed by the following vote. Ayes Messrs Geller, Hall, Luther, President Roop, Steele, Stuteveans, Thomson, Van Bokelen 9, Absent 4

Territory of Nevada
House of Representatives
Carson, December 17th 1862

To the Hon, the Council.

I return herewith the Council Bill Entitled "An Act to audit the Claim of Wellington Stevens. The House

Journal, passed the same Day & date
Respectfully
Wm Gillespie
Clerk.

Communication from the House of Repre-
-sentatives,

Territory of Nevada
House of Representatives
Carson Dec 16 1862

To the Hon the Council.

I return herewith
the following Entitled Council bills the
House having passed the same with Amen-
-dments as hereafter stated in which
the Concurrence of your Hon. Body is
respectfully requested, Viz "An Act Authorizing
Robert Lyon, and Associates to Construct
and Maintain a Toll Bridge on the East
Walker River near Dixon's Ranch"
Commencing Section 1. Third line by Striking
out the word "Exclusive" Sixth line after the
word "Bridge" insert the words "Said Bridge
to be Constructed in a good and substantial
manner and not less than Sixteen feet
in width,_ Amend Second Section, Eighth
line. by Striking out the words "twenty five"
and inserting in lieu thereof the words
"twelve and one half" Eleventh line by Striking
out one dollar and in lieu thereof the words
"Seventy five Cents" Amend by Striking out
the Entire fifth Section, Amend by Making
Section 6. read Section 5. and Section 7 read
Section 6.

An Act to Establish a Toll Road
from Dayton Lyon County to Desert Creek
in Esmeralda County, Amend Section 1.
Section Second line by Striking out the word
"Exclusive" Third line after the word
"privilege" insert the words. "for the period
of fifteen years" Amend Section 5. by
Striking out the last words. "for the

use and benefit of said road Company" and inserting in lieu thereof the words, "Paid into the proper County for County purposes"

Amend by striking out all of Section 6. and inserting in lieu thereof the following, Section 6. The Boards of County Commissioners of Lyon, Douglas, and Esmeralda Counties through which this road passes shall have power five years after the completion of said road to purchase the same at its Cash Value to be determined by Seven appraisers one to be appointed by each Board of County Commissioners through which the road passes, three by the Road Company and one by the six so appointed provided, that such purchase shall be made by the joint Concurrence or action of the Commissioners of all the Counties through which the same passes.

An Act Authorizing Henry VanSickles to Complete and Maintain a Toll Road. Strike out the entire 6th Section make, X Sec 7. Sec 6. make Sec. 8 Sec 7. make Sec 9 Sec 8, and amend the same in the 8th line by striking out the word "Territorial" and inserting in lieu thereof the word "County"

Same amendment in the 8th line, Same amendment in the 9th line Same amendment in the 12th line, in the 13th line after the word "to" strike out the words "the credit of the school fund and which shall be subject to the order of the Superintendent of Public Instruction of Nevada Territory for school purposes" and insert in lieu thereof the words "be apportioned as follows viz 4/10 to the Territorial and 6/10ths to the county general fund"

An Act imposing a capitation tax on Mongolians and others
Amend Sec 4 line 8th by striking out the word "one" before the word Hours and inserting in lieu thereof the words "twenty four" Amend Sec 5 fourth line by striking out the words "Supervision" and inserting in lieu thereof the word "Commissioners" Amend section 6 by filling blanks in 9th line with the words "five hundred" and in the 11th line with the words "six months" Amend Sec 7 by striking out in the 10th line the word "felony" and inserting in lieu thereof the word "Misdemeanor" and by striking out in the 14th line the words "Territorial Prison" and inserting in lieu thereof the words "County Jail" Amend section 8 by filling in the fourth line the (blank) with the word "January" Amend section 10 On the last line by striking out the words "it passage" and inserting the words "the first day of January A.D. 1863"

An Act authorizing C. H. Bryan and associates to maintain a Toll Road Amend Sec 1 by adding after the last word "Years" the words "Provided such Grantees shall not erect a toll gate on the branch road hereby authorized.

Amend section 2 in the 16th line by striking out the words "to elect" Amend section 6 by striking out in the 6th 7th and 8th

lines the words "and shall be subject to the order of the territorial Superintendent of Public Instruction"

Add new Section 6 as follows The Board of County Commissioners of Douglas County are hereby authorized to purchase said Town at its cash value at the expiration of three years from the completion of said Road such value to be determined by three appraisers, one to be appointed by the Board of County Commissioners one by said Road Company and one by the two so appointed"

An Act granting the right to construct a Toll Road from Empire City to "Pennoyer" on Clear Creek. Amend Sec 1 in the 6th line by inserting after the word "Road" where it first occurs by inserting the words "provided said Road shall not interfere with any County Road already constructed" Amend Sec 4 in 2nd line by inserting after the word "Legislative" "Assembly"

Amend Sec 5 in the 6th line by striking out the word "Territorial" and inserting in lieu thereof the word "county" and after the word "Auditor" insert the words "of said county" in the seventh line by striking out the word "Territorial" and inserting in lieu thereof the word "County" and after the word "Treasurer" insert the words "of said county" in the the 9th line by striking out the words "Territorial" and inserting in lieu thereof the word "County" In the 9th 10th 11th 12th and 13th lines strike out the

words "the credit of the Territorial school fund and which shall be subject to the order of the Superintendent of Public Instruction of Nevada Territory for school purposes" and insert in lieu thereof the words "be apportioned fourtenths to the Territorial Fund and sixtenths to the county fund"

All of which is respectfully submitted.

W M Gillespie
Clerk

Message from the Governor—
Executive Department
Territory of Nevada
Carson City Dec 16 1861

To the Council of the Territory of Nevada

I have this day approved bills of the following titles to wit. An Act to authorize Myron Lake his heirs and assigns to construct a Toll Road from the Junction House in Washoe County to the boundary line between Washoe and Lake Counties in Nevada Territory

An act to authorize Wilfred Heron his associate and assigns to construct a Toll Road. An Act authorizing W. H. Armstrong J. W. Roberts and their associates to construct and maintain a Toll Road. An

An Act to amend an Act entitled An Act to Incorporate the Virginia City and Washoe Railroad Company passed at the first session of the Legislative Assembly of the Territory of Nevada.

An Act to supply the town of Washoe City with water and to protect the town against fires

James W. Nye
Governor of the Territory of Nevada

House bill entitled an Act Ending the Jurisdiction of the Probate Courts of this Territory was taken up read a third time and passed by the following Vote. Ayes. Messrs Dorsey Geller. Hall. Lewis. Luther President Rose Sturdevant Thomson & VanBokkelen 11 Noys Steele 1.

House Bill Entitled an Act Authorizing G. W Mesick his Successors and Assigns to Construct and Maintain a Toll Bridge across the the East Walker River was taken up read a third time. and passed by the following Vote Ayes, Messrs Dorsey. Geller, Hall, Hannah Luther Mr President Steele Sturdevant Thomson Van Bokkelen & Roop. 10

House Bill entitled an Act for the incorporation of the protestant Episcopal Churches in the United States of America in the Territory of Nevada was taken up read a third time and passed by the following Vote. Ayes, Messrs Dorsey Geller Hall. Hannah Luther, President, Roop Steele Sturdevant. Thomson & VanBokkelen, 11

House Bill Entitled an Act Authorizing the Clerks of Districts Courts to appoint Deputys. was taken up read twice and referred to Committee of the Judiciary.

House bill Entitled an Act to amend an Act entitled an Act to regulate the Settlement of the Estates of deceased persons. Approved Nov 2d 1861. was taken up read a third time and passed by the following Vote. Ayes Messrs Dorsey, Geller, Hannah, Luther Mr President Roop Steele Sturdevant Thomson & Van Bokkelen 10. Absent 3.

Territory of Nevada
House of Representatives,
Carson Dec 17th 1862

To the Hon, The Council

I transmit herewith for the Concurrence of your Hon, Body, the following entitled House Bills. This Session, passed the House this day.

An Act in relation to the Records of the Probate Courts of Carson and other counties of the Territory of Nevada.

An Act in relation to bills of Exchange, and other Negotiable Instruments.

An Act prescribing the Manner of Commencing actions against the Territory or Counties

An Act amendatory of Section three, four of an Act Defining the time of Commencing Civil Actions.

An Act Empowering Corporations and Associations to Sue individual Members.

An Act to Amend an Act in relation to public Revenue

An Authorizing the County Commissioners of the several Counties to Cause the County lines to be Established

An Act Concerning Possessory Claims on Public lands in Humboldt County

An Act to incorporate the Washoe Agricultural Mining, and Mechanical Society

An Act Concerning Corporations

An Act to Amend an Act Entitled an Act Relating to Elections and Vacancies and the Manner of Supplying Vacancies.

An Act to Audit the Claim of Edwin A Sherman

ance to provide for the payment of
the same.
All of which is Respectfully
Submitted
Wm Gillespie
Clerk,

Territory of Nevada,
House of Representatives
Carson Dec 16 1862

To the Hon the Council

I transmit herewith
for the concurrence of your Hon
Body the following entitled House
Bills. the same having duly passed the
House this day. Namely
An Act Extending the
Jurisdiction of the Probate Courts
of the Territory
An Act for the
protection of Agricultural Lands

An Act to provide for
the improvements of navigation of
the Carson and Humboldt Rivers

An Act to amend an
Act, entitled an act to regulate the
Settlements of Estates of deceased persons

An Act for the incorporation
of Protestant Episcopal Churches in the
United States of America in the
Territory of Nevada.

An Act authorizing Clerks
of Districts Courts to appoint Deputies

An Act to provide for the
preservation of files of the various News
papers published in the Territory of

Nevada, An Act to Exempt Homestead and other property from forced Sale in certain Cases.

An Act authorizing C. W. Mack, his successors and assigns to Construct a Toll Bridge across the East Walker River

An Act to Authorize certain parties to Construct Rail Road

An Act granting certain certain parties the right to Construct a Canal from Truckee River to Washoe Valley.

An Act to change the name of Unionville in Humbolt County and to incorporate the same.

An Act for the relief of Wm H Henderson.

Respectfully
Wm M Gillespie
Clerk

Territory of Nevada
House of Representatives
Carson Dec 14 1862

To the Hon the Council

I Transmit herewith the following Enrolled House Bills by the Concurrence of your Hon. Body, the same having passed the House this day, Viz"

An Act to provide for the incorporation of religious, Charitable Literary, Scientific and other Associations

An Act to Create a Coal Contingent fund in Certain Counties

Respectfully
Wm M Gillespie
Clerk

House Bill entitled An Act to provide for the preservation of files of the various Newspapers published in the Territory of Nevada was taken up read a third time and passed by the following vote Ayes Messrs Hale, Hannah, Lewis, Luther, Ray, Reseberg, Roop, Thompson and Van Bokkelen, 10 Nays Messrs Ford, Steele, Sturtevant 3,

House Bill entitled An Act in relation to the record of the Probate Courts of Carson and other Counties of the Territory of Nevada, was taken up read a third time and passed by the following vote, Ayes Messrs Ford, Gelen, Hale, Hannah, Lewis, Luther, Ray, Push, Roop, Sturtevant Thompson, Van Bokkelen,

House Bill entitled An Act in relation to Bills of exchange and other negotiable instruments was taken up read a third time and passed by the following vote Ayes Messrs Ford, Gelen, Hale, Hannah, Lewis, Luther, Ray, Push, Roop, Steele Sturtevant Thompson, and Van Bokkelen,

House Bill entitled An Act of section 84 of An Act entitled An Act defining the time of commencing Civil actions approved Nov 1st 1861, was taken up read a first time and referred to committee on Judiciary.

House Bill entitled An Act prescribing the manner of commencing actions by or against this Territory or Counties was taken up read a first time and referred to the Committee on Judiciary

House Bill entitled An Act to amend an Act in relation to Public Records, was taken up read a third time and passed by the following vote Ayes Messrs Gove, Gelder, Hall, Haunagh, Luther Pray, Pugh, Roop, Steele Thompson, and Van Bokelen, 11 Absent Lewis, and Sturtevant 2.

House Bill entitled An Act empowering corporations & associations to sue individual members, was taken up read once and referred to committee on Mines and Mining interests.

House Bill entitled An Act relating to Elections and the manner of supplying vacancies, Approved Nov 26 1861 was taken up read a third time and passed by the following vote, all the members voting, in the affirmative.

House Bill entitled An Act concerning corporations was taken up read a third time and referred to the Committee on Corporations

House Bill Entitled An Act to Audit the claims of Edwin A Sherman and to provide for the payment of the same was taken up read a third time and referred to the Committee on claims.

House Bill entitled An Act concerning possessory claims on Public Lands in Humboldt County was taken up read and referred to the committee on the Judiciary.

Report from the Judiciary Committee

Mr President

The Judiciary Committee to whom

was referred House Bill No an Act
describing the manner of commencing
actions by or against the Territory
or Counties, — Instructed me to report
the same and recommend its
passage Hall Chairman
Adopted.

Bill read a third
time and passed by the unanimous
vote.

House Bill entitled
An Act authorizing the County
Commissioners of the several Counties
& cause the County lines to be estab-
lished was taken up read a third
time and passed all the members
present voting in the affirmative

House Bill Entitled
An Act providing for the
Erection of County Buildings in
Storey County

Also Council
Bill entitled an Act providing
for the Erection of County Buildings
in Storey County was taken up
read a first and second to the
delegation from Storey County

Territory of Nevada
House of Representatives
Carson Dec. 18, 1862

To the Hon the Council

I transmit
herewith for the concurrence of your
Hon Body the following Enrolled
House Bill, the same having
passed the House this day viz
An Act to Incorporate the
Virginia City and Silver City
Rail Road Co, An Act

An Act to incorporate the Virginia and Truckee Railroad Company

An Act Authorizing the County Commissioners of Ormsby County to create a Jail Building Fund for the Payment of Buildings of said County

An Act Authorizing E Brown and associates to Establish and Maintain a Toll Road.

An Act to construct and Maintain a Toll Bridge over Carson Slough.

An Act to authorize Isaac Le Stich and others to erect and Maintain a Toll Bridge Across Carson River.

An Act to grant the rights to certain parties to construct a Toll Road from Washoe City to the North West End of Lake Bigler

An Act to Authorize Frank Perkins and his associates to construct a Toll Road.

An Act to Audit the claim of Sarah A Blackburn administratrix of John L. Blackburn deceased and to provide for the payment of the same.

An Act to Authorize A. D. Brooks, J. A. White, and their associates to construct a Toll Road

An Act to authorize certain parties to construct a Toll Road.

An Act to Authorize certain parties to construct a Toll Road.

An Act amendatory of An Act to regulate Proceedings in Civil Cases in the Courts of Justice in Nevada Territory

All of which is respectfully Submitted

Upm B. Gillespie
Clerk

Territory of Nevada
House of Representatives
Carson City Dec. 17th 1862

To the Hon. the Council

I Return herewith The following Entitled Council Bills, This Day Having Passed The House This day Viz,

An Act to provide for a Special Term of the District Court in Roop County

An Act in relation to Militia in this Territory.

An Act providing for the Erection of County Buildings in Story County

The House having rejected this Bill and passed in lieu Thereof the following House Substitute,

An Act for the Erection of County Buildings in Story County,

All of which is respectfully Submitted

Wm Chas. D. Kirn,
Asst Clerk.

House bill entitled an Act to Construct and Maintain a Toll Bridge over Carson Slough. Was taken up. Read Third time. and Passed By the Following Vote all the Members Voting in the Affirmative

Report from the Committee on the Judiciary.

Mr President,

The Judiciary Committee return the House bill to

an act amendatory of Section Thirty four of an act defining the time of Commencing Civil actions with an amendment and recommend its passage as amended.

G D Hall Chairn.

Amendment to Section two. Section two This act shall take effect on the first day of April 1863. The bill was then read a third time and passed by a unanimous vote.

Report from Enrolling Committee

Mr President

Your Committee from the Standing Committee on Enrollment Respectfully reports that the Committee have Carefully Compared the following bills with the Engrossed bills as presented to them and have found them Correctly Enrolled viz"

Council bill entitled An act to provide for the Conformation and transfer of Judgements and in relation to actions at law. Now pending in the Courts of California affecting persons and property within the Counties of Esmerald. Roop and Mono. and any other Territory that may hereafter become a part of the Territory of Nevada. Also an act to Establish a Toll Road from the Town of Dayton Lyon County Nevada Territory to Desert Creek in Esmerald Nevada Territory. Also bill to Credit the Claim of Wellington Stewart and to provide for the payment of the Same

Luther,

Report from Committee on internal improvements.

Mr President

The Committee on internal improvements to whom was referred Senate Bill for an act Entitled An act granting to Certain parties the right to construct a Canal

from Truckee River to Washoe Valley, report the same back and recommend its passage.

Sullivant. Chair
Hall
Steele

The bill was then read a third time and passed all the Members present voting in the affirmation

Report from Washoe County delegation.

Mr President

Your Committee Composed of the delegation from Washoe to which was referred bill entitled An Act to incorporate the Washoe Agricultural, Mining and Mechanical Society report the same back and recommend its passage.

Sullivant
Geller.

adopted.

The bill was then read a third time and passed by a unanimous Vote.

House bill Entitled an Act to Authorize Isaac A Slith, and others to Erect and Maintain a Toll Bridge across Carson River was taken up read a third time and passed. all the Members present voting in the affirmative.

House bill Entitled an Act to authorize Frank Perkins and his Associates to Construct a Toll Road, was taken up and indefinitely postponed

Mr Lewis, introduced a series of concurrent resolutions, relating to National affairs. Mr Hannah moved to lay them on the table. Lost by the following vote Ayes Messrs Ford, Geller, Hannah Pugh, 4 Noes Messrs Hall, Lewis, Luther Ray, Roop, Steele, Sullivant, Thompson and Botelen, 7.

Resolutions referred to Committee on Federal Relations.

Territory of Nevada
House of Representatives
Carson Dec. 18th 1862

To the Hon the Council

I return herewith the following entitled Council Bills, the same having passed the House without amendment this day. Viz.

An Act to create the Aurora City Gas Company.

An Act to provide the town of Silver City with water and to protect the town against fire.

An Act granting to Mons Jos Emanuel Penrod, their heirs and assigns the right to construct a Toll Road.

An Act to audit the claim of John N. Goicn and provide for the payment of the same.

An Act to audit the claim of Samuel Witgenstein.

An Act for the relief of Harrington Steinbeck & Co.

All of which is respectfully submitted

Wm M. Gillespie
Clerk

On leave Mr Pugh introduced a Bill entitled An Act to incorporate Walker Lake Ferry Company was read a first time, rules suspended read a second and third time and passed by the following vote. Ayes Messrs. Fuller Hall, Hannah, Luther, Pray, Pugh, Roop, Steele, Sturtevant, Thompson, and Van Bokelen 11 Nays Mr Lewis 1 absent 1.

House Bill entitled "An Act to the Audit the claim of Sarah A. Blackburn administratrix of the estate of John L. Blackburn deceased and to provide for the payment of the same

was taken up, read a second time and referred to the Committee on claims

House Bill entitled An Act to authorize A. D. Brooks F. N. White and their associates to construct a toll road, was taken up read a second time and referred to the delegation from Washoe county.

House Bill entitled An Act to grant the right to certain parties to construct a Toll road from Washoe City to the the North West end of Lake Bigler, was taken up read a second time and referred to the delegation from Ormsby and Washoe Counties

House Bill entitled An Act granting to Charles Rowe & and his associates a right to construct a toll Road, was taken up and House amendments concurred in.

House Bill entitled An Act to authorize certain parties to construct a Toll Road, was taken up read a third time and passed by the following vote, Ayes Messrs Ford, Fuller, Hall, Hannah, Luther, Pray, Pugh, Roop Steele, Sturtevant, Van Bokelen, 11 Noes Mr Lewis 1

Mr Ford offered the following resolution, which was laid on the Table Resolved, That from and after this time no Member shall speak more than five minutes at one time on any one subject or matter before this Body Ford.

Mr Hall offered the following Resolution

Resolution

That the Secretary of the Council be and is hereby authorized to employ all the assistance he may deem necessary for the Expeditious of the

business of the Council for the remainder of the session!

House Bill entitled An Act to authorize certain parties to construct a toll Road was taken up read once and referred to the delegation from Ormsby and Douglas Counties.

House Bill entitled An Act to incorporate the Virginia and Truckee Railroad Company was taken up read a third time and passed by the following vote all the members voting aye,

House Bill entitled An Act authorizing the county commissioners of Ormsby county to create a Jail Building fund for the payment of building said Jail was taken up read once and referred to the delegation from Ormsby County

Report from Committee on claims

Mr President

Committee to whom was referred House Bill No 60 having had the same under consideration direct it be correct and refer it back to the Council with a recommendation of its passage

A. F. Pray
Thos Hannah
Lieutenant.

Adopted

House Bill entitled "An Act to create a cash contingent fund in certain counties, was taken up read a third time and passed by the following vote, All members present voting affirmatively.

House Bill Entitled An Act to incorporate the Virginia City and Silver City Railroad was taken up read a first time and referred to the delegation from Storey and Lyon Counties,

House Bill entitled "An Act authorising E. Brown and associates to establish and maintain a Toll Road" was taken up read a third time and passed by the following vote. Ayes Messrs Ford, Geller, Hannah, Luther, Pray, Pugh, Roop, Steele, Stuntenant, Thompson, Van Bokelen 11 Noes Mr Lewis 1 Absent 2.

Territory of Nevada
House of Representatives
Carson Dec 18th 1862

To The Hon the Council

I transmit herewith the following Entitled House Bill the same having passed the House this day viz

An Act to authorize certain parties to supply the town of Carson City with water,

An Act to audit the claims of certain persons and provide for the payment of the same,

An Act relative to bonds and other instruments in writing

An Act in relation to further duties of Sheriffs of certain Counties

All of which is respectfully Submitted.

Wm M Gillespie
Clerk

House Bill entitled An Act amendatory of An Act to regulate Proceedings in civil cases in the Courts of Justice of the Territory of Nevada was taken up read once and referred to the Committee on the Judiciary.

House Bill entitled An Act in relation to further duties of Sheriffs in certain Counties, was taken up read a third time and passed by the following vote Ayes Messrs Ford, Golden, Hall, Hannah, Luther, Lewis, Pray, Pugh Roop, Steel, Stuteveant, Thompson Van Bokelen, 12 Noes Mr Steele 1. The following is the vote on striking out Lyon county Ayes Messrs Ford, Golden Hall, Hannah, Luther, Pugh, Roop, Steele, Stuteveant, Thompson, Van Bokelen, 11 Noes Mr Pray 1. absent 1.

Report from enrolling Committee

Mr President

Your Chairman from the Standing Committee on Enrolment respectfully reports, that the Committee have carefully compared the following Bill with the engrossed Bill as presented to them, and have found it correctly enrolled, viz,

Council Bill entitled An Act to provide for a special term of the District Court in Roop County Luther, —

Mr Hannah gave notice that on to-morrow he would move a reconsideration of the vote by which the bill passed.

House Bill entitled An Act to authorize certain parties to supply the town of Carson City with water, was taken up read a first time and together with a remonstrance from parties in Carson City was referred to delegation from Ormsby County.

House Bill entitled An Act to audit the claims of certain persons and provide for the payment of the same was taken up read one and referred to Committee on Claims.

At 10.30 o'clock P. M.

Council adjourned.

Territory of Nevada
Council Chamber
Dec 19th 1862

Council met pursuant to adjournment Dunleavy in the chair. Roll called and the following members answered to their names Messrs Ford Geller Hale Hannah Lewis Luther McPherson Stults Thompson VanBokkelen & Prayer by the Chaplain. Minutes of yesterday read and approved

Mr Hannah introduced a Bill Entitled An act to provide for the appointment of Clerk in the Territorial auditor & Treasurer Office and to provide for the payment of ~~the~~ Contingent Expenses of said Offices

Referred to Committee on Revenue

Council Bill Entitled an act to levy a tax of two per cent on all toll roads was taken up, had a first second and third time and passed by the following vote

Ayes Messrs Ford Geller Hale Lewis Gay Hugh Roop Stults Thompson VanBokkelen 10

Committee on Enrolling reported the following Bills correctly Enrolled

"An act providing the right to construct a toll Road from Empire City to Reno's on Gear Creek"

Report of Committee on ~~Corporations~~ Mines & Mining Interest to whom was referred House Bill Entitled "an act Empowering Corporations and associations for mining to sue individual members" Respectfully report the same back with a re

commendation that it pass
Thompson chr
Hannah
Bill read a third time and passed by the following Vote Ayes Ford Gillen Hannah Lewis Luther Pray - President Loop Steele Lieutenant Thompson & VanBokkelen 12
Committee on Printing made following report
Mr President
Your Committee on printing report back a Bill Entitled "an act in relation to Printing the session laws of 1862 and recommend the passage of the same"
Report received
Ford chr
Lewis & Gelly
Committee on Rivers made favorable report on Council Bill Entitled an act to provide for the appointment of clerk in the National auditor & Treasurer department and to provide for the payment of contingent Expenses of such offices and recommend its passage. Bill read a second and third time and passed by the following Vote Ayes Messrs Ford Gillen Hall Hannah Lewis Pray Mr President Loop Steele Lieutenant Thompson & VanBokkelen 12
Committee on Federal Relations made favorable report on resolutions. and recommend their passage report received and made special order for 7 o'clock PM this day
Delegation from Washoe County made favorable report on House Bill Entitled "an act to authorize A D Brook & J M White and their associates to construct a Toll Road and recommend its passage with amendments
Bill read a third time and passed by the following vote Ford Gillen Hall Hannah Pray President Steele Lieutenant Thompson VanBokkelen 10 Nays Lewis 1
Mr Lewis Made following report.
I have Examined a bill providing for the Incorporation and Christening the town of Unionville

Humboldt County - Made some amendments thereto and recommend its passage as Amended adoption

Lewis,

Bill was then read a third time and passed by the following Vote

Ayes Mess Hannah Lewis Pray President Roop Steele Lieutenant Thompson and VanBokkelen 9

Committee on Corporations Made favorable report on House Bill Entitled "An act to grant the right to certain parties to Construct a toll road from Dayton City, to the North West end of Lake Tyler and recommend its passage Bill read a third time and Supd by the following Vote Ayes Messrs Neal Hannah Lewis Luther Pray President Roop Steele Lieutenant Thompson & VanBokkelen 11

Report of Judiciary Committee

Mr President Your committee on Judiciary Report back the House Bill Entitled an act amending of the Civil Practice act with an amendment Striking out Sections 230. 231. 232 and recommend the passage of the bill as Amended

Your Committee state that the bill is the result of their joint labor and puts the approval of the Judiciary Committee of the two Houses as amended and that it corresponds with the Judgement of the District Judges and the most Eminent Lawyers of the Territory

Hall Chairman

Lewis,

Bill was indefinitely postponed by the following Vote Ayes Mess Hannah President Roop Thompson VanBokkelen 6 Noes Neal Lewis Luther Pray Steele 5 absent Ford Lieutenant 1 Judiciary

Judiciary committee Made unfavorable Report on Bill Entitled "An act Concerning Corporation Claims on Public Lands in Humboldt County" Report adopted

Report of Corporation Committee

Mr President Your Committee on Corporations to whom was referred House Bill Entitled "an act Concerning Corporations" having had the same under consideration and upon a careful Examination do find that all the provisions contained therein is fully covered by House Bill No 17 on Corporations and Statutary laws already in force. Therefore we do recommend that the Bill be indefinitely post poned

Resp. ch
Van Bokkelen
Thompson

Ormsby County delegation made favorable report on House Bill Entitled an act authorizing the County Commissioners of Ormsby County to create a Jail Building fund for the payment of building for said County" Bill read a third time and passed by the following Vote Ayes Messrs Fellon Hall Hannah Lewis Luther Bray President Resp. Sturtevant Thompson VanBokkelen 11 Noes Messrs 1

House Bill Entitled an act authorizing Clerk of District Court to appoint deputies was taken up read a third time and passed by the following vote Ayes Fellon Hall Hannah Luther Bray Resp. Sturtevant Thompson and VanBokkelen 11 Noes Lewis 1

House Bill Entitled an act to authorize certain parties to supply the town of Carson City with water was taken up read a third time and reported Report from Enrolling Committee reported the following Bills correctly Enrolled

"An act to amend an act Entitled an act in relation to the Militia of Nevada Territory approved Nov 28 1861"

"An act for the relief of Kinkead Harrington & Co"

"An act to audit the claim of John D Winn and provide for the payment of the same"

"An act to create the Carson City Gas Company"

"An act to supply the town of Silver City County of Lyon

Such Water and protect the same against fire

Mr Hall introduced Joint Resolution as a substitute to House Bill Entitled "an act to provide compensation for services rendered in the supervision of the printing of the laws and Journals of the first Session of the Legislature assembly

Adopted by the following Vote

Ayes Mr Fenn Geller Hall Hannah Lewis Luther Mr President Roop Stark Sturtevant Thompson Van Bokkelen 11 Noes Bay 1

The delegation from Story and Lyon County to whom was referred House Bill Entitled "an act to Incorporate the Virginia City & Silver City Rail Road" Made favorable report thereon and Recommended its passage

Bill then read third time and passed by the following Vote

Ayes Messrs Geller Hall Hannah Lewis Luther Bay Mr President Roop Stark Thompson and VanBokkelin 11

Mr Sturtevant 1

Story County delegation to whom was referred House bill authorizing certain persons to construct a Turnpike road from Virginia City to Steam boat Springs Report that a franchise conveying the same rights was granted to Wm Huffaker S B Deal - and others and Reporting adversely to the bill The bill was then read a third time and indefinitely postponed

Enrolling Committee reported correctly Enrolled "An act authorizing Robt Lyon & Wilborn to Construct And Maintain a Toll Bridge on the East Walker River Near Dickson's Ranch"

Council Bill Entitled "an act to provide for printing the Statute Laws of 1862 was taken up Read a first second third time and passed as pending by the following Vote Ayes Messrs Ford Geller Hall Hannah Lewis Luther Bay President Roop Sturtevant Thompson VanBokkelin 11 Noes Stark 1

Mr Nash introduced the following Resolution Resolved by the Council and House of Representatives of Nevada Territory that in our opinion the Expenses incurred for the printing and distribution of the Laws and Journals of the Legislative Assembly of 1861 pursuant to an act Entitled an act in relation to printing of the Session laws and Legislative assembly Journals" Approved Nov 29 1861 – is a proper charge against the Federal Government and that we recommend to the Federal Govemnt all said Expenses.

Communication from the House

Carson City Dec 19 1862

To the Hon the Council

I transmit herewith the following "An act to repeal an act Entitled an act to provide for taking the census and ascertaining the representation of the Legislative Assembly of Nevada Territory" the House having agreed to the same on the 18th inst

Respectfully,
Chas DeKing
Asst Clerk

Communication was received from the House informing the Council that the House had passed Council Bill Entitled "an act to provide for the construction of a Plank and Turnpike road between the town of Carson City in the County of Ormsby and the town of Empire City in said County" with several amendments also

An act to construct a toll road from the town of Como in Palmyra district Lyon County to Carson River at or South of Empire City and to authorize the construction of a bridge across said river with amendments

An act amendatory of an act Entitled an act defining the Judicial Districts fixing the terms of the Supreme & District courts of the Territory locating County Seats of the several counties of the Territory and providing for the transfer and trial of actions" approved Nov 29 1862 – with amendments

" An act act authorizing Wm H. Nesbit, Ernest Hauff

And Wm H Parkinson and associates to Establish and maintain a Toll road" with Amendments -

An act authorizing Rufus Watton and Watty Lambert to complete and maintain a toll road - with amendments

and returning Council Bill (by request as per resolution) Entitled an act to incorporate the Carson City Gas Company Also returning Council Bill Entitled " an act granting to certain parties the right to construct a toll bridge across Humboldt River in Humboldt County. which had passed the House Also transmitting House Bill Entitled " an act to authorize Hiram Mott and others to construct a Toll road. which had passed the House Dec 18. At 1-30 Pm Council took a recess until 2-30 Pm

In council

2-30 Pm President in the chair Roll called Quorum Present Council Bill Entitled "An act to provide for the construction of a Plank and Turnpike road between the town of Carson City in the County of Ormsby and the town of Empire City in said County" was taken up and the amendments concurred in Council Bill Entitled an act authorizing Rufus Watton and Watty Lambert to construct and Maintain a Toll road was taken up and House amendments thereto concurred in

Council Bill Entitled " an act to construct a Toll road from Como in Palmyra district in Lyon county to Carson River at or south of Empire City" was taken up and House amendments thereto concurred in "

Council Bill amendatory of an act Entitled an act defining the Judicial Districts fixing the terms of the Supreme and District Courts of the Territory - locating the county seats of the several Counties of this Territory" & providing for the transfer and trials of actions " passed Nov 29 1861 was taken up and House Amendments thereto concurred in

House Bill Entitled "An act to authorize

Hiram Mott and others to construct a Toll Road was taken up read a first second & third time rules suspended and passed by the following Vote ayes Messrs Geller Beall Hannah Luther Pray Rush Roop Steele Stuntevant & VanBokkelen 10 Nos Messrs Ford & Lewis

Bill Entitled an act to repeal an act Entitled an act to provide for taking the census &c was taken up read a third time and indefinitely postponed

Bill Entitled "an act authorizing Ob Evans James Beard & Jacob M Spies to maintain a toll road was taken up read a third time and passed by the following Vote

Ayes Messrs Ford Geller Beall Lewis Luther Pray. Rush Roop Steele Stuntevant & VanBokkelen

Council Bill Entitled "an act W. H. Barleigh Ernst Hauff & W K Parkinson and associates to establish and maintain a Toll road was taken up and House amendments thereto concurred in

Communication from the House received informing the Council that the House had agreed Council Bill Entitled "An act for the relief of Insolvent Debtors and protection of Creditors" and passed Council Bills Entitled "an act to Authorize the administrators of the Estate of A.N. Chaney dec'd to Execute a Conveyance and for other purposes"

an act to authorize J Hawkins to construct a Toll road"

Council declared ready to Execute business to consider the Existing appointments

In Council 5 o'clock PM Council adjourned till 6-30 PM

6-30 PM In Council

President in the Chair Quorum Present

House Bill Entitled an act relative to Bonds and other instruments in writing was taken up read a first time and referred to Judiciary Committee reported correctly Engrossed

"An act granting certain Rights to the Right to Construct a Bridge across Humboldt River in Humboldt County

Mr Ford reported favorable upon Bill Entitled "an act for the improvement of Navigation of the Rivers & Humboldt River

Bill read a third time and passed by the following Vote Ayes 9 Noes — Absent 4

House Bill Entitled an act to prevent certain Officers from dealing in certain Securities was taken up, Ordered engrossed and 1st 2nd & 3rd time and passed by the following Vote Ayes Messrs Hannah Lewis Luther Rhodes Lovejoy Steele Thompson VanBokkelen 7 Absent 5

Council Bill Entitled an act to appoint a Commissioner" was taken up and indefinitely postponed

Council Bill Entitled "an act to audit the claim of J B Russell" was taken up and indefinitely postponed

Report of Committee on claims

Mr President your committee on claims having had under consideration several claims as specified below would beg leave to report the following back to the Council and recommend their passage

Claim of	Mason Huff & Co	720.00
"	" E B Bair	50.00
"	" J Mc Reardon	183,88
"	" F M Preston	900.00
"	" M Kelly	250.00
"	" Dr Rhodes	75.00
"	" A K Bunzay	38.15
"	" Abraham Williams	345.00
		125.00

Your Committee would recommend that the claim of J W L Blackburn be amended by striking out the sum of $1183.00 and that the sum of $936.00 as your Committee believe the amount is recommended in full and different

Report received

A W Ray Chn
Committee

Minority Report

I concur in the report of you committe with one exception - this claim of H M Rector $900 - this claim is for office rent during one year I object to the Territory assuming this indebtedness from the fact the organic act gives to the Governor in addition to his salary as Gov and Indian agent, one thousand dollars yearly as contingent expenses and in my judgement the payment of this claim would be an unwarranted distinction made in favor of the Governor against the other Federal appointments in the Territory, and if the same is assumed I shall insist upon similar bills for the Secy, Atty-General and Supreme judges of the Territory as a simple matter of justice to their gentlemen from the fact that they have no contingent fund provided for their benefit in the Organic act

Report accepted.

Roman Hammond

"An act entitled" an act to prevent Extortion in office and to enforce official duty was taken up and read a first second & third time and passed by the following vote Ayes Messrs Dale Hannah Lewis Luther Pray Pugh Rose Stub Stuntevant Thompson & VanBokkelen "

Council Bill "An act to form a Constitution and State Government for the State of Washington was taken up, read a third time and passed by the following vote Ayes Messrs Ford Hall Hannah Pugh Rose Stub Thompson and VanBokkelen 8 Noes Messrs Lewis Luther Pray Stuntevant 4 Absent Mr Yesler 1

Mr Ford moved a reconsideration of the vote which on motion of Mr Rose was indefinitely postponed

Report from Committee on Claims

Mr President We the undersigned the Majority of your Committee on claims having Examined into the correctness of statements made by the Minority of said Committee in the report on claim of H M Rector for office rent amounting to $900, would beg leave to report that they would

Recommend the adoption of the minority report upon this Claim

A. W. Bray
J. W. Lieutenant

Report adopted

A House Bill Entitled "an act to audit the claim of Sarah A Blackburn administratrix of the Estate of Jno L Blackburn dec'd And to provide for the payment of the same" was taken up Read a third time and passed By the following Vote Ayes Messrs Bell Bradley Hannah Lewis Bray Rogers Stuart Thompson & VanBokkelen 10 Noes Messrs Stubbs Ford 2 absent Mr Ford,

A House Bill Entitled "An act to audit the Claims of certain persons and provide for the payment of the same was taken up Read a third time and passed by the following Vote Ayes Messrs Bell Hannah Lewis Luther Bray Rogers Stuart Thompson VanBokkelen 8 Noes Mr Stubbs 1 absent Messrs Ford Green

A House Bill Entitled "an act to audit the Claim of D. J Gashere and provide for the payment of the same was taken up Read a third time and passed by the following Vote Ayes Messrs Ford Hannah Lewis Luther Bray Mr President Rogers Stuart VanBokkelen 10 Noes Mr Stubbs & Thompson 2 absent Mr Green.

A House Bill Entitled "An act to audit the Claim of Edwin. A. Sherman and provide for the payment of the same was taken up Read a third time and passed by the following Vote Ayes Messrs Ford Hannah Lewis Luther Bray Rogers Stuart Thompson & VanBokkelen 10 Noes Mr Stubbs absent Mr Green

Communication from the House

Territory of Nevada
House of Representatives
Carson City Dec 19 1862

To the Honorable Council

I herewith return Council Bill entitled "an act authorizing Henry Vanderhoff to Complete and maintain a Toll Road" The House having acceded from their amendments thereto.

I return herewith the following Entitled Council Bills the House having duly passed the same this day without amendments "A Memorial to Congress relative to the depredations committed by the Indians in the Territory of Nevada and the Expenses incurred &c"

"An act to amend an act granting to certain persons to construct a Rail Road from the Western to the Eastern boundary of the Territory

I transmit herewith for the concurrence of your Honorable Body the following Entitled House Bill the same having passed this day viz "An act to amend an act Entitled an act for securing liens to Mechanics and others"

An act to provide Increased Compensation to the Justices of the Supreme Court and other Officers in the Territory of Nevada"

"An act to prohibit officers from being interested in certain Contracts"

"An act to amend an act Entitled an act to provide for the appointment of Notaries Public's" "An act to amend an act Entitled an act creating Boards of County Commissioners &c"

Respectfully
John Gillespie
Clerk

House Bill Entitled "an act to amend an act Entitled an act for securing liens to Mechanics and others" - Approved Nov 21 1861 - was taken up read 1st & 2d time and referred to Judiciary Committee

House Bill Entitled "an act to provide

Increased Compensation to the Supreme Judges of the Supreme Court and other Officers of the Territory" Was taken up, duly suspended & read a 1st 2d & 3d time and passed by the following Vote Ayes Messrs Ford. Gallen. Keay Hannah Lewis Bush Root Steele Thompson & Van Bokkelen 10 Noes Messrs Fay & Stuntenant 2 absent Selby

House Bill Entitled "an act to prohibit Officers to be interested in certain Contracts" Was taken up read & indefinitely postponed

Communication from House

Carson City Dec 19 /62

To the Hon the Council

I return herewith the Council Concurrent Resolution relative to the payment for services rendered in dispensing the Statutes of the last Session" the House having unanimously having rejected the same

The House respectfully requests that a Committee may be appointed on the part of the Council to confer with a like Committee composed of Messrs Mitchell Simmons and J.B. Winters on the part of the House, in relation to the Matter of difference between the two Houses

Respectfully
Wm Gillespie
Clerk

Carson City Dec 19th 1862

To the Hon the Council

The House this day concurred in the Council amendments to the following House Bill "an act in relation to the further duties of the Sheriff of Certain Counties"

An act amendatory of Section thirty four of an act Entitled "an act defining the time of commencing civil actions"

An act to amend & supplemental to an

act to provide for the assessing & collecting
County & Territorial revenue

Respectfully
Wm McGillespie
Clerk

House Bill Entitled an act to amend an
act Entitled an act to provide for the appointment
of Notary Public taken up, duly suspended
Read 1st 2nd & 3rd time and passed by the following
Vote Ayes Mess. Hall Hannah Lewis Luther
Bay President Koontz Stute Stuntvant Thompson
and VanBokkelen 11

On leave Mr Stute introduced bill Entitled
An act for the relief of Frank Moyer
duly suspended Bill Read 1st 2nd & 3rd time and bill
passed by following Vote Ayes 11 absent 1

On leave Mr Rugh introduced a bill
Entitled "an act Supplementary to and amendatory
of an act to provide mileage compensation to
the Governor Justices of the Supreme Court and
other officers in the Territory of Nevada which
was read a first time duly suspended Read
a second & 3rd time and passed by the following
Vote, Ayes Mess Gelling Hall Hannah Lewis
Rugh Koontz Stute Thompson & VanBokkelen 9
Noes Messrs Lewis Bay Stuntvant 3
absent Mr Hall

Mr Stuntvant gave notice that on tomorrow
he would move to reconsider the Vote by which
the following Entitled bill passed
Council Bill Entitled "an act to provide
for the appointment of clerks in the Territorial
Auditor & Treasurer department and provide
for the payment of the contingent Expenses of such
offices"

The Resolution relating to our National
affairs and Endorsing the Course of the Pres-
ident of the United States was taken up and
passed -

At 10 o'clock P M Council adjourned

Territory of Nevada
Council Chamber
Dec 20th 1862

Council met pursuant to adjournd
President in the chair Roll called Journ Read
the following Members responded to their names
Messrs Allen Lewis Lucker Knox Stuntevant Slade
Thompson Van Bokkelen McPhadent &
Prayer By the Chaplain
Journal of Yesterday read and approved
Communication from the House of Representatives

House of Representatives
Carson Dec 20th 1862

To the Hon the council
I return herewith council bill Entitled "an act supplementary to and amendatory of "an act to provide increased compensation to the Justices of the Supreme Court and other officers of Nevada Territory"
The same having passed the House without amendments on the 19th inst

Respectfully
Wm M Gillespie.
Clerk
Dec 20 1862

To the Hon the council
I return herewith council Bill "An act to repeal an act to provide compensation for the Supreme Judges of the Territory for the transaction of Territorial business. The House having passed the same without amendments on the 19 inst
I transmit herewith for the concurrence of your Hon Body the following Entitled House Bill. the same having passed the House on the 19th inst Viz An act to amend and supplemental to an act to amend and supplemental to an act to provide for the collecting and Addressing County & Territorial revenue Also an act to provide compensation for the Attaches of the Legislative Assembly

Respectfully
Wm M Gillespie Clk

House Bill Entitled an act to provide compensation for the attaches of the ~~House~~ Legislature Assembly was taken up Rules suspended read 1st 2d & 3d time and passed by the following Vote Ayes Mssrs Ford Keller Hannah Lewis Luther Bray Roop Stuntevant Stuke Thompson VanBokkelen House Bill Entitled an act to Amend and supplemental to an act to amend and supplemental to an act to provide for the assessing and Collecting the County & Territorial Revenue was taken up Rules suspended read a first Second & 3d time and passed by the following Vote Ayes Mssrs Ford Keller Hannah Luther Bray Roop Stuntevant Stuke & Thompson 9 Noes Mr Lewis 1 absent 3

Enrolling Committee reported following Bills Correctly Enrolled

"An act to audit the claim of Saml Mitzenstein"

"An act granting to Moses Job & Emanuel Rinod their heirs and assigns the right to construct and maintain a Toll Road"

"An authorizing John Hawkins his associates and assigns to maintain & construct a Toll road"

"An act to authorize the administrator of the Estate of N Chapman to execute a conveyance and for other purposes"

"An act to construct a Toll road from the town of Como Dalmyra district Lyon Co to Carson River south of Eagan City"

"An act to provide for the construction of a Plank & Turnpike road between the town of Carson City and Eagan City"

Storey County delegation Made report on House Bill Entitled an act providing for the Erection of County Building in Storey County and recommend that Bill be indefinitely postponed adopted

The Bill was then indefinitely postponed Ayes 12

Mr Hannah introduced a Bill Entitled "An act to pay the private Secy of the Governor"

The Bill was taken up Rules suspended read 1st 2d & 3d time and passed by the following Vote

Ayes Mefs Ford Kellen Hannah Hall Lewis
Luther Ray Roop Stuteuant Thompson VanBokkelen
Mr President

Mr Hannah offerd Resolution pay to John G. Fox for furnishing Sac union and other papers" adopted

Communication from House.

Carson City Dec 20 1862

To the Hon the Council

I return herewith the following Council Bills the same having passed the House with the 19th inst without amendments Viz

"An act to provide for the appointment of Clerk in the Territorial Auditor & Treasurer departments" and to provide for the contingent Expenses of such Offices

Wm M. Gillespie
Clerk

The Enrolling Committee made following report of Bills correctly Enrolled

"An act amendatory of an act Entitled an act defining the Judicial Districts &c"

"An act authorizing Rufus Watton & Wesley Lambert to complete and Maintain a Toll-Road"

"an act to amend an act Entitled an act An act granting to certain persons the right to Construct a Rail Road from the Western to the Eastern Boundary of the Territory of Nevada"

"An act authorizing W H Haileigh, Ernest Hauff and Wm Harkinson and associates to establish and maintain a "Toll road"

"An act. Memorial to Congress Relative to the depredations committed by Indians in the Territory of Nevada"

Mr Roop offerd the following Resolution

Resolved this Council deem it inexpedient and will not receive any more Bills unless the same shall be necessary for the correction of some Error in previous Legislation of State importance

Lost

Mr Hannah offerd following Resolution

Resolved by the Council that the President of the Council and Chairman of the Engrossing Committee shall constitute a Committee to audit the claim of the Secy of the Council for labor performed by him and his ~~associates~~ subordinates And the Secy of the Territory is hereby authorized to pay the said Secy and his subordinates such amount as may be certified to as correct by such Committee adopted

Joint committee
Communication from ~~House~~
Dec 20 1862

To the Hon the Council and House of Representatives
The Committee of Conference on the part of the two Houses to which was referred the matter of providing compensation for supervising the printing of the Laws and Journals of the last session (just) respectfully report that your Committee have carefully considered the matter of difference between the two Houses relative to the claim of W M Gillespie and others have come to the conclusion that the claim is one which should be allowed against the Territory And recommend the passage of the accompanying Bill Entitled an act

L W Rush
L M Ludlow
} Council Committee

A J Simmons
M N Mitchell
Jno S Winter
} House Committee

Bill Entitled "an act to audit the claims of W M Gillespie and others was taken up read a first time and indefinitely postponed.

House Bill Entitled An act to amend "An act regulating fees and Costs" approved Nov 21 1861 was taken up read a first time referred to Committee of the Whole reported back with amendments read a second time and passed by the unanimous vote of the Council

Mr Lewis introduced a bill Entitled "An act

Authorizing Mark L McDonald and assigns to construct a Toll Road" which has taken up Rules Suspended Had first Second & third times and passed by a unanimous vote

Communication from the House

Carson City Dec 20. 1862

To the Hon the Council

I return herewith the following Council Bill the House having passed the same this day, "An act to amend an act Establishing a common school System for the Territory of Nevada" approved Nov 29 1862."

Respectfully

Chas. D. King

Asst Clerk

House Bill Entitled "an act for maintaining the Compensation of the Judges of the Territory has taken up Rules Suspended Read a first Second & third times and passed Ayes 13

House Bill "An act to authorize Frank Perkins to construct a Toll Road has taken up Rules Suspended Read 1st 2d & 3d times and passed Ayes 13

House Bill Entitled "an act to provide for certain contingent legal Expenses has taken up Had once made special order for Tuesday next

Council Bill "An act to provide for the printing of the Session laws of A.D. 1862 has taken up Rules Suspended Read a first second & third time and passed by the following Vote

Ayes Mssrs Ford Keller Hannah Fray Rooh Sturtevant Stidger Thompson VanBokkelen. President 11 - Noes Messrs Bell Lewis Lipsey 3.

Communication from the House

Dec 20 1862

To the Hon the Council

I return herewith the following Council Bill "~~An act~~ the House having passed the same this day without Amendments On An act authorizing O M Eban J Harold and others to maintain a Toll Road

"An act for the relief of D. J. Gaskell"
"An act to form a Constitution and State Government for the State of Nevada"
"An act for the relief of Frank Moyer"
"An act amendatory and supplementary of an act Establishing a Common School system for the Territory of Nevada"

Respectfully
Wm. M. Gillespie
Clk

Enrolling Committee reports following Bills Correctly Enrolled

"An act to repeal an act to provide "Compensation to the Supreme Judges of the Territory for the transaction of Territorial business approved Nov 19 1862"

"An act to prevent the appointment of Clerks in the Territorial Auditor & Treasurer Department." And to provide for the payment of the Contingent Expenses of such Offices

Communication from Gov

Carson City Dec 22 1862

To the Hon the Council

I return herewith the following Enrolled Council Bill "An act Entitled "An act to provide for printing the Session Laws of 1862"

Amend by striking out the words "Virginia City Daily Union" and inserting in lieu thereof the words "Daily Territorial Enterprise" throughout the Bill

"An act to issue Bonds & Coupons"

Amend by striking out the words "Alfred Helm and J. G. Small"

Respectfully
Wm. M Gillespie
Clk

Carson Dec 22 1862

To the Hon the Council

I return herewith the following Council

Bills, the House having passed the same as hereinafter stated

"An act for the relief of Hosea Mormon"

Amend by adding to &c/ the words "also to pay Geo Lewis one hundred dollars for rent of Court House in Carson City"

"An act supplemental to and amendatory of an act to provide for the Election of Probate Judges and Prosecuting attorney"

Add new section 2. "The Probate Judge of Lander County shall be paid a salary of Five Hundred dollars out of the county treasury

Add New Sec 3

This act shall take Effect from And after its passage. provided that the Counties Douglas Humboldt & Washoe are hereby Excepted from the provisions of this act

Respectfully
Wm M Gillespie
Clk

Dec 20 1862

To the Hon the Council

I transmit herewith for the concurrence of your Hon Body the following House Bills

"An act increasing the compensation of the Judges of the Territory"

"An act to provide for certain contingent legal Expenses

"An act Amendatory of an act regulating fees and costs"

Respectfully,
Chas D King
Asst Clk

Dec 20 1862

To the Hon the Council

I learn that your Hon Body have neglected my claim for an allowance for services rendered in the Supervision of the Territorial Index Chapter 89 of the laws of the last session the Territory assumed the responsibility of whatever Expenses might be incurred under its provisions

I have counsel good legal authority and believe that a suit against the Territory for compensation would prove successful I therefore announce that in case that I am not compensated by the passage of an act for my relief that I shall pursue the only alternative course

Respectfully
Jno M Gillespie
Clerk.

Dec 21 1861

To the Hon the Council

I return herewith the following Council Bills the House having passed the same without amendments

"An act authorizing Mark L McDonald and his assigns to Construct and maintain a Toll road"

An act supplementary to & amendatory of an act in relation to Common Jail and Prisoners therein

Respectfully
Chas D King
asst clk

Mr Hannah introduced a Bill Entitled An act Supplementary to and amendatory of any act in relation to common Jails and prisoners therein now taken up Duly suspended and a third time and passed by the following Vote

Ayes Mesrs Hannah Hall Pray Roop Sturtevant Thompson - President 7 Absent 6

At 3-30 o'clock Pm Council to recess till 6 o'clock Pm

In council 6 o'clock Pm

President in the Chair Quorum Present

Absent from Enrolling Committee reported as Correctly Enrolled the following Bills

"An act for the relief of D J Gashwiler Sheriff of Carson County"

An act Supplemental and amendatory to an act to provide for the Election of Probate Judges and

Prosecuting Attorney and defining their duties
passed at the second Legislative assembly of the
Territory of Nevada"
An act to amend an act Establishing
a common School System for the Territory of
Nevada approved Nov 29th 1861"
"An act to issue Bonds & Coupons"
An act supplementary to and amendatory of an act
in relation to common Jails"
Mr Hannah introduced a Bill for the
relief of E A Marsh which was taken up
Rules suspended read a 1st 2d & 3d time and
passed by the following Vote Ayes Messrs
Keller Hannah Hall Gray Knapp Lieutenant
VanBokkelen Mr President & ~~Absent~~ Mott Messrs
Stuck & Absent Messrs Ford Luther Lewis Thompson &

Communication from the House

To the Hon the Council Carson Dec 20 1862

I return herewith the following
Joint Resolutions for your concurrence the
same having passed the House this day viz
"Joint Resolution to provide for the Non
Printing of Private Franchises"

Respectfully
Elias D King
Asst Clerk

Judiciary Committee report unfavorably upon
the following Bills

"An act relative to Bonds and other Instru
ments in Writing"
"An act to amend an act Securing liens &c"
"An act to amend an act Creating Boards of County
Commissioners"

The Bills were severally taken up and by title
and indefinitely postponed

Mr Hannah on leave introduced a Bill entitled
An act Authorizing a Board of Commissioners to have
charge of the Territorial Prison" which was taken
~~up~~ Rules suspended read a 1st 2d & 3d time and passed
Ayes Messrs Ford Keller Hannah Lewis Knapp
Lieutenant Stuck Thompson VanBokkelen Rearmont 10

Absent Mr Parsons Smith & Bray 3
Enrolling Committee reported following Bills
Correctly Enrolled
"An act authorizing Wm L McDonald and
Assigns to Construct & maintain a Toll
Road"
The following Resolutions were offered
Resolved by the Council - that the Council return
their unfeigned thanks to Wm Hopkins our Chief
Secretary for the able manner in which he has
discharged his duties adopted
Resolved that the Council return their
unfeigned thanks to Col Medina our Sergeant
at Arms for the faithful manner in which
he has discharged his duty Adopted
Resolved by Col Medina
Mr President
Permit me before our final ad-
journment to express my high appreciation and
thanks to yourself and gentlemen of the Council
for your confidence in giving me a position
and for the uniform kindness and indulgence
Extended to me. In parting you have my
heartfelt wishes for your individual happiness
and prosperity
G Medina
Sgt at Arms

Communication from the House
To the Hon the Council Dec 29. 1862
I transmit herewith for the con
currence of your Hon Body the following
Legislative Bills the same having passed the House
this day viz "An act relative to the manner
of commencing civil actions."
I return herewith the following Council Bills
the same having passed the house this day without
Amendments viz. "An act to Incorporate the
Walker Lake Mining Company"
"An act to audit the claim of L D Evans"
"An act for the payment of the private Secretary of
the Governor"

"An act to levy a tax of two per cent on Toll Roads & Bridges"

Respectfully
Wm. G. Musgin
Clk

House Bill Entitled an act in relation to the Manner of Commencing Civil Actions was taken up, on suspension Dec 23 Passed by the following Vote Ayes Messrs Geller Hannah Bay Sturtevant Slate Thompson & McPherson 7 Noes Messrs Dall Lewis VanBokkelen 3 Absent Mess Fava Roop & Sutton

Resolved that the Council return their sincere thanks to Master Paul Hawkins and Henry Mc Lewis for the faithful manner in which they have discharged their duties as Page & Messenger adopted

Communication from the House

Carson Dec 26 1862

To the Hon the Council

I return herewith Council Bill Entitled "an act to Incorporate the Truckee River Log Driving Company" the same having passed the House this day

I herewith the following Concurrent Resolutions the House having disposed of the same as hereinafter stated viz

Relative to Government affairs — Rejected
"Auditing a/c of Fof for Returns" passed
"Relative to Mexican boundary affairs" passed
"I Transmit herewith for concurrence of your Hon Body" House Con Res - allowing a/c of B de Woolfe for newspaper

Respectfully
Wm. G. Musgin
Clk

House Bills "An act amendatory of an act to regulate proceedings in Civil Cases in the Courts of Justice in the Territory of Nevada"

Was taken up and a third time and passed by the following Vote Ayes Messrs Geller Hannah Hall Thompson VanBokkelen President 6 Noes Messrs Lewis Stutsman 2 Absent Messrs Ford Luther Pray Roop Stuteant Concurrent Resolutions "Relating to printing" passed by following Vote Ayes Messrs Ford. Geller Hannah Hall Lewis Roop Stuteant Stutsman Thompson VanBokkelen Mr President 11 Noes

Communication from House

Clinton Dec 30 1862

To the Hon the Council

I return herewith the following Council bills the same having passed the House this day "An act for the relief of Ea March

Respectfully
Chas D Kirby
asst clerk

Mr Hall introduced the following
Resolved that we express our satisfaction for the dignified and impartial conduct of the President of the Council. and for the efficient and courteous manner in which the Chaplain, officers and attaches of the Council have performed their respective duties adopted

Mr Rich offered the following
Resolved that the thanks of the Council be tendered to our worthy Chaplain J H McGrath for his promptness in opening the Council and his devotion to his country in her hour of peril adopted

Mr Rich offered the following
Resolved that the thanks of the Council be tendered to Geo S Kalmer for the able manner in which he has discharged the duties of assistant Secy of the Council adopted

Enrolling Committee reported correctly Enrolled
the following Bills
"An act authorizing Orr Evans and associates
to establish and maintain a Toll Road
in Washoe & Churchill counties"
"An act to audit the claim of Leonard N
Ferris and provide for the payment of the Same"
"An act to amend an act to establish a
common school system of the Territory of Nevada"
Also Concurrent Resolution relating to the
Boundary line between the Territory of Nevada
and California

Communication from House
Dec 20 1862

To the Honorable
Council
I return herewith the following
Council Bill the same having passed this day
"An act appointing a Board of Commissioners
to have charge of the Territorial Prison"

Respectfully
Chas D King
Asst Clerk

Mr Hall introduced the following
That the decorum and impartiality with
which A J Marsh correspondent of the
Sacramento daily Union has discussed the
various subjects of Legislation entitles him to
our special respect and that the accuracy
and fidelity of his reports of the proceedings
of this Council establishes his character as a
truthful and efficient Reporter adopted

Communication from the House
Carson Dec 20 1862

To the Hon the Council
I transmit herewith the following
Concurrent Resolution the same having passed
the House this day
Resolved by the House concurring that the Speaker
of the House and the President of the Council
declare their respective Houses adjourned
sine die at precisely 12 o'clock midnight this day

the 27th day of December 1861
Respectfully
Wm M Gillespie
Clk

Mr Hannah offered the following
Resolved that a Vote of thanks be tendered
J. W. Pugh for the able and impartial
Manner in which he has discharged the
arduous duties devolving upon him as
President of the Council during the session
about to close
a dopted

Concurrent Resolution to adjourn at 12
oclock Midnight was adopted
Enrolling Committee ~~having~~ reported correctly
Enrolled the following Bills
"An act Providing for relief of Eli Mask
Communication from Sec of Council
To the Hon President of the Council and Hon J. McLein
Chairman of Enrolling Committee
Gentlemen
In conformity to resolution
passed by the Council I have employed
the following named assistants for the period
set opposite their names

J. Chaomichael	8 days
C. E. Dean	1 day
F. C. Stoner	1 day
M & P Love	3 days
M Dubbson	4 days
Hopkins	4 days
	21

a 1½ per day $21.00
Wm Hopkins

Report of Comm on above bill
We the Undersigned Members of Special Committee
appointed to Examine and audit accounts
for Extra clerk hire authorized by Council
Resolution have Examined the above a/cs
and deem them just and fair
J. W. Pugh President
J. McLein
President Enrolling Comm

The Enrolling Committee reported the following Bill correctly Enrolled "an act amendatory of and Supplemental to "An act defining the Judicial Districts fixing the terms of the Supreme and District Courts of the Territory - to locating the County Seats of the several Counties of the Territory and providing for the transfer and trial of actions" - Approved Nov 29 1861 -

Message from the Governor

Executive Department
Carson City Nov 19th 1862

To the Council of the
Territory of Nevada

I have this day approved "an Act amendatory and supplemental to an act Entitled An act to provide for the assessing and collecting the County and Territorial Revenue" Approved Nov 29 1861

James W Nye
Governor of the Territory of Nevada

Territory of Nevada
Carson City Dec 2 1862

To the Council of the Territory
of Nevada

I have this day approved Bills of the following titles to wit
"An act authorizing Henry VanSickle to complete and establish a Toll road"
"An act to authorize the administrator of the Estate of Austin A Chauncey dec'd to Execute a Conveyance and for other purposes"
"An act to provide for the Construction of a Plank and Turnpike Road between the town of Carson City in Ormsby County and Empire City in said County"
"Memorial to Congress relative to depredations Committed by Indians in the Territory of Nevada and the Expenses incurred in the protection of the Settlements"
An act authorizing Wm Hill Marbagh, Ernest

Hanff and Wm L Parkinson and associates to Establish and maintain a "Toll Road"

An act to grant the right to construct a "Toll road" from the town of Como. Rubypra District in Lyon County to Carson River or South of Eureka City And authorize the construction of a "Bridge across said River"

"An act granting to certain persons the right to Construct a Toll Bridge across the Humboldt River in Humboldt County"

An act granting to Moses Job and Edmund Flood their heirs and assigns the right to Construct and maintain a toll road between the Sinks of the Carson River and Reese River

"An act to amend an act Entitled "An act granting Certain persons the right to Construct a Rail Road from the Western to the Eastern boundary of the Territory of Nevada" Approved November 25th 1861"

"An act Supplemental to and amendatory of an act Entitled, an act to provide increased Compensation for the Governor and Justices of the Supreme Court and other offices of the Territory of Nevada"

"An act authorizing Jno Hawkins his associats and assigns to maintain & Construct a "Toll Road"

An act to provide for the Appointment of Clerks in the Territorial Auditor & Treasurers Department and to provide for the Contingent Expenses of such offices

An act to repeal an act to provide Compensation for the Supreme Judges of the Territory and for the

Transaction of Territorial Business
James W Nye
Governor of Nevada Territory

Territory of Nevada
Executive department
Carson City Dec 30th 1862

To the Council of the
Territory of Nevada

I have this day approved Bills of the following tittle to wit

"An act authorizing Robert Lyons L Wilbourn to construct and maintain a Toll Bridge on the East Walker River near Dickens Ranch"

"An act for the relief of Kinkead Hannaghin & Co

"An act to amend an act in relation to the Militia of the Territory of Nevada" approved Nov 28th 1861

"An act granting the right to construct a Toll road from Empire City to Reno on Clear Creek"

"An act to provide for the confirmation and transfer of Judgments and in relation to actions at Law now pending in the Courts of California affecting persons & property within the bounds of Esmerald Roop and now and any other Territory that may hereafter become a part of the Territory of Nevada

"An act to audit the claim of Wellington Stewart and provide for the payment of the same"

"An act to create Aurora City Gas Company

" An act to supply the town of Silver City in the County of Lyon with water and to protect the town against fires

" An act to provide for a Special term of the District Court in Roop County

" An act to establish a Toll road from the town of Dayton Lyon County Nevada Territory to Desert Creek in Esmeralda County Nevada Territory

" An act to audit the claim of Jno N Goodwin and to provide for the payment of the same

" An audit the claim of Saml Millspaugh

Executive Department
Carson City Dec 20 1862

To the Council of the Territory of
Nevada

I have this day approved Bills of the following titles viz

" An act to audit the claim of Leonard Mc Ferris and to provide for the payment of the same

" An act for the relief of E A Nash

" An act to amend an act Establishing a common School System for the Territory of Nevada approved Nov 29 1861

" An act Concurrent Resolutions relating to the boundary line between the Territory of Nevada and the State of California.

" An act appointing a Board of Commissioners to have charge of the Territorial Prison

"An act to amend and supplemental to An act to provide for the assessing and collecting the Territorial & County Revenue

" An act levy a tax of two per cent of the gross proceeds of tax roads & bridges, in the Territory to constitute a general school fund

" An act supplementary and amendatory of an act in relation to Common Jails and the prisoners therein

" An act supplemental to and amendatory of An act to provide for the Election of Probate Judges and Prosecuting attorneys and defining their duties. passed at the second Session of the Legislative Assembly for the Territory of Nevada

" An act for the relief of D J Gashein Sheriff of Carson County

" An act to amend an act Establishing a Common School System for the Territory of Nevada approved Nov 29 1861

" An act to provide for the payment of a private secy for the Governor of Nevada Territory for services rendered A.D. 1862

" An act to incorporate the Walker Lake Ferry Company

" An act for the relief of Thos Morrow

" Concurrent Resolution to pay Jno G. Hoff the sum of three hundred and Seventeen dollars and Sixty three cents

" An act to form a constitution and State Government for the state of Nevada

" An act authorizing O. M. Evans James Harrold and Jacob Hines to establish and maintain a toll Road in Washoe and Churchill Counties

" An act relative to the session Laws of 1862

James W. Nye
Governor of Nevada Territory

On motion of Mr Roop a Committy of three men appointed by Nayt upon the Governer and ascertain if he had any further messages to transmit to the Council

The President appointed as such Committee Messrs Roop Stuntevant & Thompson

The Governor through the Committee informed the Council that he had no further Messages to Communicate

A Committee from the House appeared within the council asking if the Council had any further Communication to transmit to the House - who were informed that the Council had no further message to transmit

The Journal of the day were read and approved

At 12 o'clock Midnight the President declared the Council adjourned Sine die